Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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STUDIES RELEVANT TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

Background paper by the Secretariat

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INTRODUCTION

1. At its first session held in May 1989, the Preparatory Committee for the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons requested the Secretariat to prepare a background paper regarding studies relevant to the Treaty on the Non-Proliferation of Nuclear Weapons, taking into account and reflecting adequately the views expressed in the discussions of the Committee. The present paper has been prepared in response to that request, taking also into consideration the paper on the same subject which was prepared for the Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.III/12, 5 June 1985). At the request of the Committee at its second session (11-15 September 1989) a selected bibliography has been added (see Annex).

2. Based on that previous paper, the current paper includes information on studies carried out under the auspices of the United Nations, the United Nations Institute for Disarmament Research (UNIDIR), the International Atomic Energy Agency (IAEA), the World Health Organization (WHO), the United Nations Environment Programme (UNEP) and the United Nations Institute for Training and Research (UNITAR). It is a self-contained paper as it includes information contained in document NPT/CONF.III/12 and adds to it by presenting summaries of additional studies carried out since June 1985.

I. STUDIES MADE UNDER THE AUSPICES OF THE UNITED NATIONS

A. Effects of the possible use of nuclear weapons and the security and economic implications for States of the acquisition and further development of these weapons (1967)

3. The report of the Secretary-General on the effects of the possible use of nuclear weapons and the security and economic implications for States of the acquisition and further development of these weapons (A/6858) 1/ was prepared pursuant to resolution 2162 A (XXI) of 5 December 1966, with the assistance of a group of consultant experts. The report contains the unanimous views of the Group.

4. In its main body, the report addresses the effects of the possible use of nuclear weapons and the economic and security implications of the acquisition and further development of nuclear weapons. The annexes cover the issue of nuclear explosions, the genetic effects of nuclear radiation and the basic costs of nuclear warheads, and also provide a reference list for chapter I. The report concludes, inter alia, that national and international security cannot be found in the further spread of nuclear weapons or further elaboration of existing nuclear arsenals; that international agreement against the further proliferation of nuclear weapons and agreement on measures of arms control and disarmament will promote the security of all countries and that the United Nations has the overriding responsibility in this field.

B. Comprehensive study of the question of nuclear-weapon-free zones in all its aspects (1975) (Special report of the Conference of the Committee on Disarmament) 2/

5. By resolution 3261 F (XXIX) of 9 December 1974, the General Assembly requested that a comprehensive study of the question of nuclear-weapon-free zones in all its aspects should be carried out by an ad hoc group of governmental experts under the auspices of the Conference of the Committee on Disarmament.

6. The study, which was unanimously adopted by the Group, inter alia, describes the historical background of military denuclearization by areas, and discusses the concept of nuclear-weapon-free zones; the responsibilities of States within and outside the zone; the problem of verification and control; the relationship between nuclear-weapon-free zones and international law; and the question of the peaceful uses of nuclear energy. While the study analyses the issues involved in establishing such zones and the related implications for zonal and extrazonal States, it points out however that there are no precise rules to be followed in the process, as the matter should be taken on a case-by-case basis taking into account the particular circumstances of each given region.

7. By resolution 37/99 F of 13 December 1982, the General Assembly requested the Secretary-General, with the assistance of an ad hoc group of governmental experts, to carry out a study to review and supplement the comprehensive study of the question of nuclear-weapon-free zones in all its aspects. Since the Group was not able to conclude the study by its deadline, the General Assembly, by resolution 39/151 B of 17 December 1984, renewed the Group's mandate. Despite further discussions, the Group was unable to find agreement. The relevant report of the Secretary-General (A/40/379) has annexed to it a letter from the Chairman of the Group of Experts to the Secretary-General informing him that the Group was unable to reach agreement on the study as a whole and in particular on the conclusions resulting from the study.

C. Study on a comprehensive nuclear-test ban (1980)

8. By decision 34/422 of 11 December 1979, the General Assembly requested the Secretary-General to prepare, with the assistance of qualified experts, a study on the question of a comprehensive nuclear-test ban and to submit it to the Committee on Disarmament at its session in the spring of 1980.

9. The report (A/35/257) gives a background summary of the development of the issue, describes the negotiations leading to the conclusion of the partial test-ban Treaty and the Treaty on the Non-Proliferation of Nuclear Weapons, the deliberations and negotiations in the General Assembly and in negotiating bodies from 1963 to 1979, as well as the trilateral negotiations of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America on a comprehensive test ban held between 1977 and 1979. The report also discusses the major unresolved issues, inter alia, the verification, scope and duration of a comprehensive test ban.

10. The experts conclude, inter alia, that it is essential to intensify negotiations in order to achieve a comprehensive test ban. They also agree that a comprehensive test ban could serve as an important measure of non-proliferation of nuclear weapons, both vertical and horizontal and that verification of compliance no longer seems to be an obstacle to reaching agreement. It is further noted that, in the view of the parties to the non-proliferation Treaty, a comprehensive test ban would reinforce that Treaty by demonstrating the awareness of the major nuclear Powers of the legal obligation under Article VI of the Treaty, and that the benefits of a comprehensive test ban for arms limitation could be enhanced if it were followed by restrictions on the qualitative improvements of nuclear delivery vehicles.

D. Comprehensive study on nuclear weapons (1980)

11. The Comprehensive Study on Nuclear Weapons (A/35/392) 3/ was carried out by the Secretary-General with the assistance of a group of experts, pursuant to General Assembly resolution 33/91 D of 16 December 1978. The study, which was unanimously adopted by the experts, presents factual information on nuclear arsenals as of the date of its conclusion and discusses the following issues: trends in the technological development of nuclear-weapon systems; the effects of the use of nuclear weapons; the doctrines of deterrence and other theories concerning nuclear weapons; the security implications of the continued quantitative increase and qualitative improvement and development of nuclear-weapon systems; and the implications of treaties, agreements and negotiations related to nuclear disarmament.

12. The study concludes, inter alia, that nuclear weapons are the most serious threat to international security; that in a nuclear war the nuclear-weapon States themselves may suffer most but all nations would experience grave consequences; that even if the road to nuclear disarmament is long and difficult, it must be followed; that mutual deterrence is an unsafe and unacceptable concept; that the United Nations should be used for all purposes and stages relevant to the disarmament process; and that strong public opinion could in time help to create the political will among all States to transfer their security reliance from the nuclear-weapon system to another universally accepted system.

13. By resolution 43/75 of 7 December 1988, the General Assembly requested the Secretary-General to carry out, with the assistance of governmental experts and taking into account recent relevant studies, a comprehensive update of the comprehensive study on nuclear weapons that provides factual and up-to-date information on, and pays regard to, the political, legal and security aspects of: (a) nuclear arsenals and pertinent technological developments; (b) doctrines concerning nuclear weapons; (c) efforts to reduce nuclear weapons; (d) physical, environmental, medical and other effects of use of nuclear weapons and of nuclear testing; (e) efforts to achieve a comprehensive nuclear-test ban; (f) efforts to prevent the use of nuclear weapons and their horizontal and vertical proliferation; and (g) the question of verification of compliance with nuclear-arms limitation agreements. The General Assembly further requested the Secretary-General to submit the report to it well in advance of its forty-fifth session, in 1990.

E. Comprehensive report on South Africa's plan and capability in the nuclear field (1980)

14. By General Assembly resolution 34/76 B of 11 December 1979, the Secretary-General was requested to prepare, with the assistance of a group of experts, a comprehensive report on South Africa's plan and capability in the nuclear field. The report (A/35/402), 4/ which was unanimously adopted by the experts, starts by stressing the concern of the United Nations with South Africa's policy of apartheid and nuclear activities, and with nuclear non-proliferation in Africa. The report describes the early history of South Africa's nuclear energy activities, nuclear fuel cycle resources, activities and facilities, nuclear co-operation with other countries and safeguards. The report then examines South Africa's nuclear-weapon capability and its nuclear-weapon calculations and notes two indicators of a possible South African nuclear-weapon capability, i.e. the reported test site in the

Kalahari Desert (1977) and the report that on 22 September 1979 a flash of light consistent with that caused by a nuclear explosion on or near the earth's surface was recorded in the area of the Indian Ocean and South Atlantic, including portions of the Antarctic continent and the southern part of Africa. It further discusses recent initiatives in the nuclear field involving South Africa.

15. The study concludes, inter alia, that there is no doubt that South Africa has the technical capability to make nuclear weapons and the necessary means of delivery; that the discovery of a reported nuclear-weapon-test site in the Kalahari Desert in 1977 strongly suggests that preparation for the testing of a nuclear explosive device was underway in 1977 and that the event of 22 September 1979, without a scientifically indisputable explanation, further strengthened suspicions in the world community of South Africa's plans and intentions; that the acquisition of nuclear weapons by that country would have to be treated as a grave threat to the security of the African States and to international peace and that all this makes it necessary to have South Africa adhere to the nuclear non-proliferation Treaty and to place all its nuclear facilities under IAEA safeguards.

F. Study on Israeli nuclear armament (1981)

16. The study on Israeli nuclear armament, contained in the relevant report of the Secretary-General on the subject (A/36/431), 5/ was prepared pursuant to General Assembly resolution 34/89 of 11 December 1979. Adopted unanimously by the experts who prepared it, the study describes the concern of the United Nations with the question of Israel's nuclear armament and nuclear activities in the regional context, and examines Israel's nuclear development; its nuclear-weapon potential; factors affecting Israel's nuclear policy, and international reports concerning Israel's nuclear armament.

17. In its conclusions, the study notes, inter alia, that: "On the basis of the available authoritative information, the Group of Experts is unable to conclude definitively whether or not Israel is at present (1981) in the possession of nuclear weapons. There are, however, significant indications that Israel reached the threshold of becoming a nuclear-weapon State at least a decade ago." The experts emphasize that they do not doubt that Israel, if it has not already crossed the threshold, has the capability to manufacture nuclear weapons within a very short time. The report concludes that the possession of nuclear weapons by Israel would be a seriously destabilizing factor in the already tense situation prevailing in the Middle East, in addition to being a serious danger to the cause of non-proliferation in general.

G. The consequences of the Israeli armed attack against the Iraqi nuclear installations devoted to peaceful purposes (1983)

18. By its resolution 37/18 of 16 November 1982, the General Assembly requested the Secretary-General to prepare, with the assistance of a group of experts, a comprehensive study on the consequences of the Israeli armed attack against the Iraqi nuclear installations devoted to peaceful purposes. The study which is contained in the Secretary-General's report to the General Assembly (A/38/337) provides information on the consideration of the event by the various organs of the United Nations and the IAEA, as well as a factual background and a discussion of the safeguards applied to the

installations. The report further describes the site-related consequences of the attack; the health consequences; the consequences for disarmament; the economic consequences; the consequences for positive behaviour by States; the consequences for legitimacy of international régimes; precedent-setting consequences; and other general consequences. One section is devoted to potential international responses, notably the question of Israeli adherence to safeguards and/or the non-proliferation Treaty, the establishment of a nuclear-weapon-free zone in the Middle East and measures to be taken to prohibit armed attacks against peaceful nuclear facilities, promoting and ensuring the safe development of nuclear energy.

19. In its conclusion, the report expresses the Group's view that:

> "If Israel became a party to the non-proliferation Treaty, accepted full-scope safeguards and complied with the General Assembly's demand that it should refrain from its threat to repeat its armed attacks against nuclear facilities, the situation would substantially improve. In reviewing possible constructive international responses to this incident, the Group expresses the hope that the incident would give new impetus to efforts to establish a nuclear-weapon-free zone, free of loopholes, in the region of the Middle East; to the establishment of additional legal instruments against attacks on peaceful nuclear facilities; and to the improvement of international mechanisms for obtaining redress for damages."

H. Study on unilateral nuclear disarmament measures (1984)

20. By resolution 38/183 J of 20 December 1983, the General Assembly requested the Secretary-General to prepare, with the assistance of governmental experts, a report on the ways and means that seem advisable for stimulating the adoption of unilateral nuclear disarmament measures which, without prejudice to the security of the States, would come to promote and complement bilateral and multilateral negotiations in this sphere.

21. The report (A/39/516), 6/ unanimously approved by the experts, contains a brief description of the nuclear-arms race and, concluding that a more effective strategy is needed to stop it, describes a conceptual framework for unilateral nuclear disarmament measures, outlining the distinctive features of such measures. The report then examines the feasibility and potential usefulness of such measures in the light of past experience, discusses various unilateral measures that might complement bilateral as well as multilateral disarmament negotiations, and highlights a number of priority areas for unilateral action. In its conclusion, the report notes that a review of major unilateral nuclear disarmament measures provides evidence that unilateral measures of restraint and de-escalation may be feasible and useful and that interacting unilateral measures could stimulate and advance arms limitation and disarmament negotiations.

I. The prevention of nuclear war - Report of the Secretary-General (1985)

22. By resolution 39/148 P of 17 December 1984, the General Assembly, inter alia, requested the Secretary-General to prepare a report on suitable steps to expedite effective action for the prevention of nuclear war, to be transmitted to the Conference on Disarmament and the Assembly, and invited

Governments to submit to the Secretary-General their views on such steps so that they might be taken into account in the preparation of the report. The report which the Secretary-General submitted to those two bodies (CD/603 and Add.1 and A/40/498) is comprised of two parts, the first containing an introduction, a survey of developments and a conclusion, and the second part containing the replies of 35 Governments.

23. The introduction notes that while it is generally agreed that the prevention of nuclear war is of overriding importance, the question has been approached from different perspectives and differing ideas and proposals have therefore been advanced. In that connection, the introduction presents the summarized views on the subject of non-aligned and neutral countries, socialist countries, Western countries and China, respectively. The survey of developments describes various initiatives on or relating to measures for the prevention of nuclear war which have been taken by the General Assembly, the Conference on Disarmament and Member States, both at the bilateral and regional levels. The conclusion notes, inter alia, that there is today an international consensus that nuclear war cannot be won and must never be fought; that there is no task more imperative before the international community than to remove the threat of nuclear war; that the most effective guarantee against the danger of nuclear war and the use of nuclear weapons is nuclear disarmament which would eventually lead to agreements for the elimination of nuclear weapons under an effective system of international control; and that, in this context, bilateral, regional, multilateral and other approaches are all complementary and serve to reinforce each other in the final achievement of that goal.

J. Comprehensive study on the naval arms race, naval forces and naval arms systems (1985)

24. The Study on the Naval Arms Race (A/40/535) was prepared pursuant to General Assembly resolution 38/188 G of 20 December 1983. The Secretary-General was requested to carry out a comprehensive study on the naval arms race, on naval forces and naval arms systems, including maritime nuclear-weapons systems.

25. The report, adopted by consensus by the group of experts, sets out a broad overview of the naval scene in its eight chapters. The study describes the principal reasons for the development of naval capabilities, addresses in general terms existing naval forces and naval arms systems and their applications, describes the maritime legal context, (in particular the effects of the United Nations Convention on the Law of the Sea), analyses the implications for international security and the peaceful uses of the sea and attempts to identify possible measures for disarmament and confidence-building.

26. Among its conclusions, the report notes the development of nuclear energy at sea which, in its uses for ship propulsion and for nuclear warheads, has multiplied the capabilities of naval vessels and the weapons they carry. The study points to the significant proportion of strategic nuclear warheads in service at sea, the large numbers of tactical nuclear weapons and implications of the introduction of dual-capable sea-launched cruise missiles. The experts observe that the proliferation of nuclear weapons at sea, particularly the aspect of geographical dispersion of such weapons, will give rise to mounting concern. The study identifies, as one of two basic objectives for action, the achievement by negotiation of (a) effective measures of nuclear disarmament at

sea in order to halt and reverse the nuclear arms race until the total elimination of nuclear weapons and their delivery systems has been achieved and (b) measures to achieve security and stability at significantly lower levels of conventional naval arms and armed forces.

K. Deterrence: its implications for disarmament and the arms race, negotiated arms reductions and international security and other related matters (1986)

27. The Study on Deterrence (A/41/432) 7/ was prepared pursuant to General Assembly decision 39/423 of 17 December 1984 which requested the Secretary-General to prepare, with the assistance of a group of governmental experts, a study under the title: "Deterrence: its implications for disarmament and the arms race, negotiated arms reductions and international security and other related matters". That decision was based on a recommendation of the Secretary-General's Advisory Board on Disarmament Studies (see A/39/549) which also requested that the study should be conducted on an in-depth objective basis, that all schools of thought and points of view should be explored and reflected by their respective advocates and that it should, therefore, give full expression to differing views and their supporting arguments without attempting to arrive at joint conclusions and recommendations.

28. The Group established a general framework for the study which includes individual and joint contributions reflecting the various analyses and opinions on the theme. These contributions, six in number, are found in part one of the report. Part two presents three brief summaries of the different arguments and counter-arguments by the experts from the non-aligned, the socialist and the NATO countries, respectively, on the papers as contained in part one. Part three of the study contains a compilation of the respective points of view of the experts expressed in their own words.

L. Israeli nuclear armament - Report of the Secretary-General (1987)

29. By resolution 41/93 of 4 December 1986, the General Assembly, inter alia, requested the Secretary-General to follow closely Israeli nuclear activities in the light of the latest available information, and to update the study on Israeli nuclear armament (A/36/341 of 1981).

30. The report of the Secretary-General prepared pursuant to that request (A/42/581) contains seven sections which, in addition to an introduction and a summary, include the following: (a) United Nations concern with questions of Israeli nuclear armament and related matters, covering General Assembly resolutions on the questions of Israeli nuclear armament and the establishment of a nuclear-weapon-free zone in the Middle East, the issue of the attack on the Osirak reactor, and consideration of the question of Israeli nuclear armament by the IAEA; (b) views of Member States; (c) nature of information on Israeli nuclear armament; (d) Israel's nuclear development; and (e) Israel's nuclear weapon potential.

31. The Summary refers to the wide speculation about Israel's nuclear capability, to the ambiguity of Israel's statements on the subject which neither confirm nor deny reports about its nuclear potential, and to its unwillingness to adhere to the non-proliferation Treaty or otherwise accept

safeguards for all its nuclear facilities. It concludes that "although the United Nations does not have conclusive proof that Israel possesses nuclear weapons, circumstantial evidence, together with the factors just cited, would seem to indicate that Israel has developed the necessary technology and has the means to manufacture nuclear wepaons, if it so chooses".

M. Study on the climatic and other global effects of nuclear war (1988)

32. By resolution 39/148 F of 17 December 1984, the General Assembly requested the Secretary-General to make a compilation of excerpts of scientific studies on the climatic effects of nuclear war, including nuclear winter. That compilation was published in 1985 as a report of the Secretary-General to the General Assembly (A/40/449 and Corr.2).

33. The report is entitled "The climatic effects of nuclear war, including nuclear winter, a compilation of excerpts from national and international scientific studies" and compiles the excerpts by subject-matter, namely, the methodology, baseline cases and models, and their critique; fires and effects of smoke; dust and soot; chemical changes in the atmosphere; effects and consequences on atmosphere and climate; nuclear winter; and conclusions of various studies. An appendix to the report presents a selected bibliography on the topic.

34. On 16 December 1985, the General Assembly adopted resolution 40/152 G by which it requested the Secretary-General to carry out a study on the climatic and potential physical effects of nuclear war, including nuclear winter. By subsequent resolution 41/86 H of 4 December 1986, the General Assembly once again requested the Secretary-General to carry out the study, with the assistance of a group of consultant experts, examining, inter alia, the socio-economic consequences of nuclear war and taking into account the Secretary-General's compilation report on the subject and the source documents from which the compilation had been prepared, together with any other relevant scientific studies.

35. The report (A/43/351), 8/ adopted by consensus by the group of experts, is structured in four chapters addressing the atmospheric and climatic consequences of nuclear war, its effects on natural ecosystems and agriculture, its health and socio-economic effects, and the findings and conclusions of the Group. The experts conclude, inter alia, that the scientific evidence is now decisive that a major nuclear war would entail the high risk of a global environmental disruption, particularly if large cities and industrial centres in the northern hemisphere were to be targeted in the summer months; that temperatures would considerably decrease at varied levels, depending on the targeted and non-targeted areas in a nuclear war; that the sensitivity of agricultural systems and natural ecosystems to variations in temperature, precipitation and light leads to the conclusion that the widespread impact of a nuclear exchange on climate would constitute a threat to world food production; that the human impact would be exacerbated by an almost complete breakdown of health care in targeted countries; that the functions of production, distribution and consumption in existing socio-economic systems would be completely disrupted; that the possibility exists that further global environmental consequences of a major nuclear exchange may yet be identified; and that the scientific advances that have led to a clearer understanding of the global consequences of a major nuclear war should be pursued internationally.

II. RESEARCH REPORTS BY THE UNITED NATIONS INSTITUTE FOR DISARMAMENT RESEARCH */

A. The risks of unintentional nuclear war, by Daniel Frei (1982) 9/

36. One chapter of this research study is devoted to the effects of nuclear-weapon proliferation on the risks of unintentional nuclear war and concludes that while nuclear proliferation may increase the risks of local or regional nuclear conflagration, it is highly unlikely that this type of nuclear war would be capable of triggering an all-out nuclear war involving the two major nuclear Powers. It also notes that the possession of nuclear weapons by non-governmental groups may lead to national catastrophes but not to international ones.

B. Implementation of the Declaration on the Denuclearization of Africa: South Africa's nuclear capability (1984)

37. By resolution 38/181 A of 20 December 1983, the General Assembly requested the United Nations Institute for Disarmament Research (UNIDIR), in co-operation with the Department for Disarmament Affairs, in consultation with the Organization of African Unity, to provide data on the continued development of South Africa's nuclear capability.

38. The report (A/39/470) provides brief factual information on the continued development of South Africa's nuclear capability. It focuses on: (a) uranium resources and production; (b) uranium enrichment; (c) nuclear energy research; (d) nuclear power facilities; and (e) the nuclear policy framework. Recent developments relating to safeguards in South Africa are also presented. The broad findings of the report indicate, inter alia, that "South Africa continues to have a technical capability to manufacture nuclear weapons".

C. Israeli nuclear armament - Report of the United Nations Institute for Disarmament Research (1985)

39. By its resolution 39/147 of 17 December 1984, the General Assembly requested UNIDIR, in co-operation with the Department for Disarmament Affairs and in consultation with the League of Arab States and the Organization of African Unity, to prepare a report providing data and other relevant information relating to Israeli nuclear armament and further nuclear developments, taking into account, inter alia, the 1982 report of the Secretary-General on Israeli nuclear armament (A/37/434).

40. The report which was submitted pursuant to that request (A/40/520) provides detailed information on United Nations concern with the question of Israeli nuclear armament and examines the question of Israel's nuclear development by addressing issues such as Israel's general nuclear research

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*/ The material in this section is based on texts supplied by UNIDIR. The contents of UNIDIR publications by individual authors are the responsibility of the authors and not of UNIDIR. Although UNIDIR takes no position on the views and conclusions expressed by the authors of its research reports, it does assume responsibility for determining whether they merit publication.

activities, nuclear power programme and nuclear weapon potential. The report confirms the assessment and conclusions of the Secretary-General's 1981 report on Israeli nuclear armament (see section I, para. 17) and stresses that the fact that most of the information relating to Israel's nuclear activities is kept secret makes it difficult to draw definitive conclusions on this question.

D. The international non-proliferation régime (1987) (research paper by David Fischer) 10/

41. Originally scheduled to appear in 1985, as mentioned in paragraph 38 of document NPT/CONF.III/12 of 5 June 1985, the background paper on studies prepared by the Secretariat for the Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, this research paper examines in detail the various components of the non-proliferation régime: (a) the institutional norms against proliferation i.e. the non-proliferation Treaty and regional treaties such as the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco), the Antarctic Treaty and the South Pacific Nuclear-Free Zone Treaty, as well as complementary rules and norms contained in treaties such as the partial test-ban Treaty, declarations regarding negative or positive security assurances, United Nations resolutions, and recommendations of NPT review conferences; (b) the policies of supplier nations i.e. agreements for the export/import of nuclear plant technology and fuel containing conditions designed to ensure their peaceful use and the Nuclear Suppliers Guidelines of 1976; (c) the apparatus for verification i.e. principally the International Atomic Energy Agency and its safeguards systems, but also regional safeguards such as those applied by EURATOM and national systems of accounting for and control of nuclear material. An annex provides the texts of relevant agreements.

E. The verification issue in United Nations disarmament negotiations (1987) (research paper by Ellis Morris) 11/

42. As mentioned in document NPT/CONF.III/12 of 5 June 1985, this research paper was originally scheduled for publication in 1984. The paper contains a survey on national positions on verification in the successive multilateral negotiating forums from 1962 to 1986. One chapter deals with national positions on the verification procedures for the non-proliferation Treaty when the Treaty was under discussion in the Eighteen-Nation Disarmament Committee (ENDC). The positions with regard to the cessation of nuclear testing, the freeze on strategic nuclear delivery vehicles, the cut-off of production of fissionable materials, the Treaty of Tlatelolco, and the prohibition of nuclear weapons on the sea-bed are also examined.

F. The prevention of the geographical proliferation of nuclear weapons: nuclear-weapon-free zones and zones of peace in the Southern hemisphere (1989) (research paper by Edmundo Fujita)

43. The paper examines the concepts of nuclear-weapon-free zones and zones of peace and assesses their role in the prevention of the geographical proliferation of nuclear weapons. The existing nuclear-weapon-free zones i.e. the Antarctic and Latin America, and the South Pacific nuclear-free zone, as well as the proposals for establishing a zone of peace in the Indian Ocean and in the South Atlantic are also analysed. Relevant resolutions of the United Nations General Assembly are reproduced in the Annex.

III. STUDIES BY THE INTERNATIONAL ATOMIC ENERGY AGENCY */

A. International spent-fuel management (1982)

44. This study (GOV/2108) was carried out between January 1979 and July 1982 by a group of experts from Member States under the supervision of a co-ordinator from the secretariat of the International Atomic Energy Agency (IAEA). The group of experts was charged by the Director-General of the Agency to examine the potential for international co-operation in the management of spent fuel and to assist the Agency in defining what role IAEA might play in solving problems created by growing accumulations of spent fuel.

45. The final report of the expert group was issued in July 1982. In the report a variety of measures which could be taken on an international basis to facilitate spent-fuel management were identified and it was concluded that those measures would be of benefit to the world-wide nuclear community, including both countries with national programmes of spent-fuel management and countries involved in co-operative arrangements for spent-fuel management.

46. While views differed as to the weight to be attached to non-proliferation considerations as an incentive to set up multinational spent-fuel storage arrangements, it appeared that such considerations are unlikely to be of decisive importance as an incentive in the establishment of such arrangements.

B. International plutonium storage (1982)

47. This study (IPS/EG/140/Rev.2) was carried out between October 1978 and November 1982 by a group of experts from Member States under the supervision of a co-ordinator from the IAEA secretariat. The group of experts was charged by the Director-General of the Agency to begin the preparation of proposals for the establishment of schemes for the international management and storage of plutonium in the implementation of article XII.A.5 of the Agency's statute.

48. The final report of the group was issued in November 1982. This report contained three possible approaches to the implementation of article XII.A.5. As stated in the report, "The difference between the alternatives are more of a conceptual nature arising from different views on the precise relationship between States and the Agency in the implementation of article XII.A.5." The group included in their report a list of key aspects common to all three approaches and also listed several open questions which would need resolution before article XII.A.5 could be implemented.

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*/ The material in this section is reproduced from texts supplied by IAEA for the preparation of document NPT/CONF.III/12 of 5 June 1985. No additional studies relevant to the subject have been carried out by the IAEA since then, according to information received from that organization.

IV. STUDIES BY THE WORLD HEALTH ORGANIZATION

A. Effects of nuclear war on health and health services (1983)

49. By resolution WHA 34.38 of 22 May 1981, the World Health Assembly requested the Director-General of the World Health Organization (WHO) to study the contribution that WHO could make to the implementation of the United Nations resolutions on strengthening peace, détente and disarmament and preventing thermonuclear conflict. An international committee of experts in medical sciences and public health was thus set up to carry out a comprehensive study of the threat of thermonuclear war and its potentially baneful consequences for human life and health. The report, which was unanimously adopted by the experts and endorsed by the World Health Assembly in 1983, has four main chapters, as well as a summary, introduction and conclusion, and nine annexes containing the scientific details of the problems dealt with in the main text.

50. The report notes, inter alia, that the experts considered three possible scenarios of nuclear-weapon explosions in order to assess the issue; that it is difficult to comprehend the catastrophic consequences and the human suffering that would result from the effects of nuclear explosions; and that the only approach to the treatment of the health effects of nuclear explosions is primary prevention of such explosions, that is, the prevention of nuclear war. Chapter II of the report describes the physical characteristics of nuclear explosions and their effects and chapter III outlines the management of the casualties, the scope of the problems and the treatment of casualties. Chapters IV and V refer to the short-term and long-term effects of a nuclear war, respectively.

51. The experts conclude that they have both the right and the duty to draw attention in the strongest possible terms to the catastrophic results that would follow from any use of nuclear weapons; that the immediate and the delayed loss of human and animal life would be enormous, and the effect on the fabric of civilization would be either to impede its recovery or to make recovery impossible; that the plight of survivors would be physically and psychologically appalling and that the partial or complete disruption of the health services would deprive survivors of effective help.

B. Effects of nuclear war on health and health services (1987) (revised version of the 1983 study of the same title)

52. By resolution WHA 36.28 of 16 May 1983, the World Health Assembly endorsed the conclusions of the study on the effects of nuclear war on health and health services (see above) and recommended that WHO should continue to collect, analyse, and regularly publish accounts of activities and further studies of the effects of nuclear war on health and health services and keep the Assembly periodically informed.

53. Pursuant to that recommendation, a management group was set up, composed of individuals who had participated in many of the numerous studies on relevant subjects carried out since the 1983 report, notably by the Scientific Committee on Problems of the Environment of the International Council of Scientific Unions, the Institute of Medicine of the United States National Academy of Sciences, the Greater London Area War Risk Study Commission, and the United States-Japan Joint Workshop for Reassessment of Atomic Bomb Radiation Dosimetry.

54. A revised version of the 1983 report, incorporating the results of the new studies carried out since that date, was submitted. The new studies, which are described in the annexes to the report, bring to bear a wide variety of scientific disciplines and modern analytical techniques on the assessment of the effects of nuclear war not only on human beings but also on the environment - effects, for example, on climate and agriculture that would profoundly influence human health and welfare. Those studies have produced more detailed information which does not alter the general picture of the devastation that would be caused by a nuclear war or the catastrophic effects it would have on health, but which, in the opinion of the Group, justified the publication of a revised report. While, the report follows the same structure and contents of the previous one, it contains, in addition, a new chapter on the subject of the threat of nuclear war as it is perceived. One of the seven annexes to the report entitled "The psychosocial aspects of nuclear threat and nuclear war: analogies from disaster research" addresses the issue in detail.

V. STUDIES BY THE UNITED NATIONS ENVIRONMENT PROGRAMME */

A. The effects of weapons on ecosystems (1979) 12/

55. The United Nations Conference on Desertification, held in 1977, adopted a resolution concerning the effect of weapons of mass destruction on ecosystems, which was subsequently endorsed by the General Assembly in its resolution 32/172 of 19 December 1977. Pursuant to that resolution the Secretary-General commissioned a study on the subject to be carried out by the United Nations Environment Programme (UNEP) and the (then) United Nations Centre for Disarmament. A brief summary of the study was presented to the General Assembly at its thirty-third session (A/33/259, annex II). The 1979 study on the effects of weapons on ecosystems constitutes the full version of the original study modified to incorporate comments by a panel of eminent experts consulted by UNEP.

56. The study contains five chapters and an introduction which states, inter alia, that the study brings together two seemingly separate but interrelated topics of growing concern to the international community: the destruction by man of his environment and its various ecosystems; and the harmful effects - both intended and unanticipated - of the production, testing, stockpiling and use of weapons of mass destruction. Chapter 1 gives the background and describes the approach of the study; in chapter 2, various types of weapons are described, e.g. high-explosive weapons, incendiary weapons, chemical weapons, biological weapons and nuclear weapons; chapter 3 discusses some of the basic principles of systems ecology; and chapter 4 describes the possible impacts of weapons on ecosystems. In chapter 5, the conclusion is drawn that, while modern weapons are capable of causing enormous environmental damage anywhere in the world, some parts of the global ecosystem appear to be considerably more vulnerable than others; and that, because the component ecosystems of the biosphere are all closely interdependent, there is

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a danger to the entire world against which there is scant protection or remedy. The study further concludes that, if additional safeguards are to be developed against that danger, there must first be greater awareness within the international community of its existence, and its character must be more fully investigated.

B. Report on the pernicious effects of the arms race on nature (1982)

57. At its thirty-fifth session, the General Assembly adopted resolution 35/8 of 30 October 1980 in which it requested the Secretary-General, with the co-operation of UNEP, to prepare a report on the pernicious effects of the arms race on nature and to seek the views of States on possible measures to be taken at the international level for the preservation of nature.

58. The report (A/S-12/9) thus reflects the views of Governments and also contains summaries of studies transmitted to Governments, namely, the Executive Director's report on the state of the environment in 1980; a preliminary draft of the chapter of the report on the state of the world environment from 1972 to 1982 dealing with peace, security and the environment; and the study on the effects of weapons on ecosystems. Part IV of the report refers to conclusions drawn at a meeting held in 1982 by a high-level expert group on the historical responsibility of States for the preservation of the environment for present and future generations.

59. The report recommends that the General Assembly consider measures for further action, such as a call upon all Powers that have not yet ratified the Treaty Banning Nuclear-Weapon Tests in the Atmosphere, in Outer Space and under Water to do so; the possibility of developing a comprehensive nuclear-test ban by all States; the development of a treaty by which all nations would pledge themselves not to be the first to use nuclear weapons in warfare; the initiation of bilateral negotiations on a nuclear freeze; the full implementation of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the establishment of other such zones in various parts of the world; and methods of strengthening the non-proliferation régime to protect against the proliferation of elements of the nuclear fuel cycle.

VI. STUDIES BY THE UNITED NATIONS INSTITUTE FOR TRAINING AND RESEARCH

60. In response to recommendations by the General Assembly that the United Nations Institute for Training and Research (UNITAR) should focus greater attention on studies dealing with international peace and security, disarmament and the prevention of nuclear war, UNITAR launched, in 1982, a project devoted to the subject of prevention of nuclear war. Three studies have been produced in this connection: one reflecting the United Nations perspective, one from the viewpoint of Soviet scientists, and the third from a United States perspective. The three studies are briefly described below.

A. The prevention of nuclear war: Soviet scientists' viewpoints (1983) (prepared by O.V. Bogdanov, A.N. Kaliadin and G.A. Vorontsov) 13/

61. The first of the three monographs in the series, this study has three main chapters, entitled "Basic means of preventing nuclear war"; "The role of States, international organizations and the public in the prevention of nuclear war"; and "The disastrous consequences of nuclear war for mankind". It also contains a brief bibliography on prevention of nuclear war and nuclear arms limitation.

62. In its conclusion, the study states, inter alia, that "limitation of the terrifying nuclear might which a few States possess today is the greatest of all political and moral problems mankind has ever faced over the countless centuries of its history and it may be the last problem, should it not be resolved", and underlines that "the task now is not only to avert by joint efforts the immediate threat of nuclear war but also to advance towards the realization of the supreme human ideals and to provide a solid guarantee of peaceful development and the progress of our societies".

B. The prevention of nuclear war: A United Nations perspective (1984) (prepared by William Epstein) 14/

63. The study outlines past efforts to prevent nuclear war, inter alia, measures for reducing the risk of nuclear war, banning the use of nuclear weapons, for the cessation of the nuclear-arms race, and other efforts to promote nuclear disarmament. Under the heading "Current scene", chapter 3 surveys in detail the first and second special sessions of the General Assembly on disarmament and the issues of a nuclear-weapon freeze, the prevention of nuclear war, the question of anti-satellite and ballistic missile defence systems, and the World Disarmament Campaign.

64. Chapter 4, entitled "Perspective and conclusion", states, inter alia, that as the world political and military situation worsens, it becomes even more urgent to take measures for the prevention of nuclear war; that effective action on any of these measures is unlikely unless the political will exists or can be created, and that the peoples of the world must convince their Governments that the prevention of nuclear war is the most important and urgent problem of our time.

C. The prevention of nuclear war: A United States perspective (1986) (prepared by William H. Lewis) 15/

65. Six chapters, including an introduction and a conclusion, as well as three appendices comprise this study, the third and last in the UNITAR series on preventing nuclear war. Chapters 2 and 3 examine the basic means of preventing nuclear war, and the issue of conventional arms in a world of conflict, respectively. Chapter 4 considers the question of non-proliferation of nuclear weapons and chapter 5 addresses the role of non-governmental organizations in the process of preventing nuclear war. The appendices contain the texts of President Reagan's address to the thirty-ninth session of the General Assembly of the United Nations in 1984; the Treaty on the Non-Proliferation of Nuclear Weapons; and the Treaty for the Prohibition of Nuclear Weapons in Latin America.

66. The study concludes by noting, inter alia, that "close examination of the subject should lead to the inescapable conclusion that the accumulation of nuclear arms is not a cause of international tensions but is one of its direct consequences. It follows, therefore, that disarmament negotiations, if they are to be successful, must be preceded or accompanied by progress in the resolution of global and superpower issues".

Notes

1/ Subsequently issued as a United Nations publication, Sales No. E.68.IX.1.

2/ Official Records of the General Assembly, thirtieth session, Supplement No. 27A (A/10027/Add.1), annex I. This report was subsequently issued as a United Nations publication, Sales No. E.76.I.7.

3/ Subsequently issued as a United Nations publication, Sales No. E.81.I.11.

4/ Subsequently issued as a United Nations publication, Sales No. E.81.I.10.

5/ Subsequently issued as a United Nations publication, Sales No. E.82.IX.2.

6/ Subsequently issued as a United Nations publication, Sales No. E.85.IX.2.

7/ Subsequently issued as a United Nations publication, Sales No. E.87.IX.2.

8/ Subsequently issued as a United Nations publication, Sales No. E.89.IX.1.

9/ United Nations publication, Sales No. E.82.0.1.

10/ United Nations publication, Sales No. GV.E.87.0.2.

11/ United Nations publication, Sales No. GV.E.87.0.4.

12/ UNEP Studies, vol. I.

13/ United Nations publication, Sales No. E.83.XV.RR/31.

14/ United Nations publication, Sales No. E.84.XV.RR/30.

15/ United Nations publication, Sales No. E.85.XV.RR/32.

ANNEX

Selected Bibliography Relevant to the Question of Nuclear Non-Proliferation - 1985-1990

At the second session of the Preparatory Committee for the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in considering background paper NPT/CONF.IV/PC.II/7, entitled Studies Relevant to the Treaty on the Non-Proliferation of Nuclear Weapons, the Secretariat was requested to add a bibliography on literature relevant to the Treaty. This selected bibliography has been prepared in response to that request.

In its preparation, references used were those which are available either at the Department for Disarmament Affairs Reference Library, in New York or Geneva, or the Dag Hammarskjöld Library in New York, or the Library at the United Nations Office at Geneva. While every effort has been made to present a selection which is representative of various viewpoints on the subject, this survey should not be considered as an exhaustive listing of the publications available on the issue of nuclear non-proliferation.

The views expressed by the various authors in the publications listed in this paper are solely their own. Inclusion in this selected bibliographical listing does not convey any endorsement of the contents of the publications.

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Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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PRESENT STATUS OF NEGOTIATIONS OF THE CONFERENCE ON DISARMAMENT ON "NUCLEAR TEST BAN"

Background paper by the Secretariat

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INTRODUCTION

1. The Preparatory Committee for the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, at its first session (1 to 5 May 1989), invited the Secretary-General of the United Nations to prepare for the Committee's second session a background paper summarizing the present status of negotiations of the Conference on Disarmament on "nuclear test ban". At the request of the Committee, at its second session (11 to 15 September 1989), the background paper was revised and updated for the Committee's third session (23 April-2 May 1990). At that session, the Committee requested that, in the light of the comments made during its discussion, the background paper be updated and revised as necessary where appropriate for submission to the Conference. The present paper is submitted in response to that request. Reference should also be made to document NPT/CONF.IV/2 on the related efforts within the framework of the United Nations to achieve a comprehensive nuclear test ban.

I. BACKGROUND

2. In 1963, the Union of Soviet Socialist Republics, the United States of America and the United Kingdom of Great Britain and Northern Ireland agreed on a partial approach of signing the Treaty banning nuclear-weapon tests in the atmosphere, in outer space and under water, but not underground (partial test-ban Treaty). Discussions and negotiations on a comprehensive test ban have been held in various forums: at the trilateral Conference on the Discontinuance of Nuclear Weapon Tests in Geneva, from 1958 to 1962, which involved the USSR, the United Kingdom and the United States; in the Eighteen-Nation Committee on Disarmament in Geneva and its successor bodies for disarmament negotiations (today known as the Conference on Disarmament); at the trilateral negotiations from 1977 to 1980 between the Soviet Union, the United Kingdom and the United States; at the General Assembly of the United Nations and its three special sessions devoted to disarmament; and at the bilateral negotiations on nuclear testing between the Soviet Union and the United States that began in November 1987.

3. Faced with continuing nuclear testing, the international community has sought, throughout the years, to take effective measures that would lead to a comprehensive nuclear test ban.

4. The Final Document of the Tenth Special Session of the General Assembly, held in 1978, recognized that the cessation of nuclear-weapon testing by all States within the framework of an effective nuclear disarmament process would be in the interest of mankind. It would make a significant contribution to the goal of ending the qualitative improvement of nuclear weapons and the development of new types of such weapons, and of preventing the proliferation of nuclear weapons.

II. CONFERENCE ON DISARMAMENT

5. During the past several years multilateral efforts to make progress towards a nuclear test ban have mainly centred in the Conference on Disarmament. The divergence of views among different groups of States on the question of a comprehensive nuclear test ban has made it impossible, however, for the Geneva negotiating body to start substantive negotiations on the issue.

6. In 1982 and 1983 an Ad Hoc Working Group of the Conference on Disarmament was set up to deal with the question of a nuclear test ban. Since 1984 the Conference on Disarmament has been unable to agree on the terms of reference for a new subsidiary body, namely whether it should be mandated to begin multilateral negotiations. The issue has been the subject of informal consultations, and has also been discussed in plenary meetings of the Conference. In 1989 and 1990 efforts intensified with a view to establishing a subsidiary body on the subject of a nuclear-test ban. Progress on the question of an appropriate mandate was made in informal consultations among members of the Conference, but so far no consensus has been reached on the matter. Those informal consultations are continuing.

1. Positions of groups of States represented in the Conference on Disarmament

7. In 1984, all three groups of States in the Conference on Disarmament tabled their draft mandates which are contained in documents CD/520, CD/521 and CD/522. 1/

8. By the proposals contained in CD/520, put forward by the members of the Group of 21, i.e. the non-aligned and neutral States, the Conference on Disarmament would be requested to establish an Ad Hoc Committee on a nuclear test ban "to initiate multilateral negotiation of a treaty for the prohibition of all nuclear-weapon tests and report to the Conference on the progress of its work before the conclusion of the session. The Ad Hoc Committee will also take into account the work of the Ad Hoc Group of Scientific Experts to consider International Co-operative Measures to Detect and Identify Seismic Events".

9. By CD/521, sponsored by a group of Western States, it was suggested that the Conference on Disarmament should re-establish an Ad Hoc Committee "to resume its substantive examination of specific issues relating to a comprehensive test ban, including the issue of scope as well as those of verification and compliance with a view to negotiation of a treaty on the subject. The Conference also requests the Ad Hoc Committee to examine the institutional and administrative arrangements necessary for establishing, testing and operating an international seismic monitoring network as part of an effective verification system".

10. The third draft mandate for the Ad Hoc Committee was tabled by a group of Socialist countries in CD/522. It was proposed that "the Conference on Disarmament decides to establish for the remainder of its 1984 session, an Ad Hoc Committee to carry out practical negotiations with a view to elaborating a treaty prohibiting all nuclear-weapon tests, taking into account all existing drafts, proposals and future initiatives. The Ad Hoc Committee will report to the Conference on Disarmament on the progress of its work at the end of its 1984 session". In 1987, members of the group submitted a document entitled "Basic provisions of a treaty on the complete and general prohibition of nuclear-weapon tests" (CD/756). In putting forward this initiative, the sponsors stressed that they were guided by a desire to stimulate an early start of substantive full-scale negotiations at the Conference for which the submitted document could form a basis.

11. Over the years members of the Group of 21 have consistently continued to attach the utmost importance to the urgent conclusion of a comprehensive test-ban treaty as a significant contribution to the aim of ending the qualitative improvement of nuclear weapons and the development of new types of such weapons as well as of preventing their proliferation. Several members of the Group underlined the particular importance of a comprehensive test ban in their statements made in 1988 in connection with the twentieth anniversary of the opening for signature of the non-proliferation Treaty. Many delegations referred to the Declaration adopted by the Eighth Conference of Heads of State or Government of Non-Aligned Countries held at Harare in September 1986 which, inter alia, emphasized the pressing need to negotiate and conclude a comprehensive multilateral nuclear-test ban treaty prohibiting all nuclear-weapon tests by all States in all environments for all time. These delegations also recalled that the special ministerial meeting devoted to disarmament issues of the Co-ordinating Bureau of the Non-Aligned Countries held at Havana in May 1988 had insisted on the immediate need for all States to negotiate and sign a comprehensive test-ban treaty and regretted that the Conference on Disarmament had not made any progress in this direction, as a result of the obstacles raised by a group of countries. Some members of the Group recalled that the Organization of the Islamic Conference had repeatedly called for serious negotiations under the aegis of the Conference on Disarmament on a comprehensive test-ban treaty. Some other delegations drew attention to the Kathmandu Declaration of the Heads of State or Government of the member States of the South Asian Association for Regional Co-operation (SAARC) calling for the early conclusion in the Conference on Disarmament of a comprehensive test-ban treaty. 2/

12. During the 1989 session, members of the Group of 21 continued to stress that the Conference on Disarmament as the single multilateral negotiating body had the primary role in negotiations to achieve a comprehensive test ban. Members of the Group maintained their support for document CD/829 which reproduced the mandate proposal that had been submitted in 1987 by eight of its members in document CD/772 and through which the Conference on Disarmament would decide "to establish an ad hoc committee on item 1 of its agenda with the objective of carrying out the multilateral negotiation of a comprehensive nuclear-test ban". Members of the Group underscored once again that over the years the Group of 21 had repeatedly demonstrated its flexibility in the search for a consensus on the establishment of an ad hoc committee on agenda item 1, as evidenced by the various proposals it had put forward to that end. They noted again that the draft mandate contained in CD/829 was best suited to accommodate the positions of all the States represented in the Conference and that it constituted a sound basis for developing a consensus. Furthermore, they noted that this draft mandate had already been found acceptable by the group of Socialist States and by the People's Republic of China. 3/ Some members of the Group, calling for flexibility on the part of all members of the Conference on the question of the establishment of an ad hoc committee on the item, expressed their continued readiness to consider a mandate proposal made initially on an informal basis by the President of the Conference for the month of April 1987 and formally tabled by Czechoslovakia in August 1988 as CD/863, as a possible approach for negotiating a compromise formula. 4/

13. Also in 1989, some members of the group, commenting on the negotiations between the two major nuclear-weapon States on nuclear testing on a stage-by-stage basis, reiterated their view that the existing bilateral

thresholds did not preclude the modernization of nuclear weapons and thus failed to contribute to the cessation of the qualitative development of nuclear weapons. Rather than verifying these thresholds, what was required, in their view, was that all nuclear tests be completely prohibited. Intermediate agreements to limit testing would serve a useful purpose only if they served to curb the qualitative development of nuclear weapons and constituted steps towards the conclusion of a comprehensive test-ban treaty at an early and specified date. In this regard, several delegations recalled the statement made by the six heads of State or Government of the Six Nation Initiative for Peace and Disarmament in their Stockholm Declaration of 21 January 1988:

> "Any agreement that leaves room for continued testing would not be acceptable. We stress once again that a comprehensive test ban is already long overdue. Pending that, we reiterate our call for an immediate suspension of all nuclear testing, by all States ... This requires multilateral negotiations within the Conference on Disarmament." (A/43/125-S/19478, annex.)

Delegations in the Group urged the two major nuclear-weapon States to inform the Conference regularly on the progress of their negotiations, which these States have done, as appropriate.

14. Many delegations of the group expressed their support for the amendment proposal intended to convert the partial test-ban Treaty into a comprehensive test ban. They pointed out that the amendment proposal should be seen as a possible spur to work on a nuclear test ban in the Conference on Disarmament rather than an attempt to detract from its central function in multilateral disarmament negotiations. 5/ (See NPT/CONF.IV/2.)

15. During the 1989 session, members of the group of Socialist States continued to regard the earliest elaboration of a treaty on the complete and general prohibition of nuclear-weapon tests among the most urgent and significant measures for halting the nuclear-arms race and preventing the proliferation of nuclear weapons. The group stressed the importance of this issue with respect to the strengthening of the Treaty on the Non-Proliferation of Nuclear Weapons. Members of the group further believed that all avenues should be used to achieve progress on that priority issue, including, inter alia, bilateral, trilateral or multilateral negotiations, appropriate interim measures and the convening of a conference of States parties to the 1963 partial test-ban Treaty to consider possible amendments aimed at converting it into a comprehensive test ban. At the bilateral level, the group favoured the rapid finalization of the verification protocols to the Threshold Test Ban Treaty of 1974 and the Peaceful Nuclear Explosions Treaty of 1976 and the entry into force of those agreements as a step towards the complete cessation of nuclear tests. At the multilateral level, the group reaffirmed their strong interest in work in the Conference aimed at an early achievement of a comprehensive test ban. In that connection, they continued to consider the mandate proposal of the Group of 21 (CD/829) as a good basis for starting practical work on the item. At the same time, they supported the mandate proposal made initially on an informal basis by Czechoslovakia in April 1987 and formally tabled in 1988 as CD/863. 6/

16. Members of the Socialist Group also continued to advocate the setting up by the Conference of a special group of scientific experts who should be requested to submit recommendations on the structure and functions of a system of verification for any possible agreement not to conduct nuclear-weapon tests as well as on international verification measures other than an international system of seismic verification, inter alia, an international exchange of date on atmospheric radioactivity.

17. A group of Western countries continued to stress during the 1989 session its commitment to a ban on all nuclear tests by all States in all environments for all time, as well as its readiness to contribute to that objective by actively participating in practical work within a subsidiary body of the Conference on Disarmament on that issue. While members of the group continued to maintain their support for the draft mandate contained in CD/521 for the re-establishment of an ad hoc committee on the item, as well as the draft programme of work contained in CD/621, they also supported the informal consultations held by the President of the Conference for the month of March 1989 based on the mandate proposal made initially on an informal basis by the President of the Conference for the month of April 1987 and formally tabled as CD/863, which, in their view, constituted a useful basis for developing consensus.

18. A group of Western countries continued to maintain that the stage-by-stage approach to the subject of nuclear testing offered the best chance for early progress and welcomed in that connection the ongoing bilateral talks between the two major nuclear-weapon States. They expressed their satisfaction at the results of the joint verification experiment undertaken by the two major nuclear-weapon States in the months of August and September 1988. They further urged those two States to maintain the momentum gained in their bilateral talks to proceed without delay to negotiating further intermediate limitations on nuclear testing. Some members of the group, while sharing the regret of other members of the Conference that it had proved impossible to reach agreement on procedures to open a substantial debate on a nuclear test ban in the Conference, expressed again their reservations with regard to the proposal to amend the partial test-ban Treaty, which, in their view, could only detract from the meaningful work to be undertaken by the Conference on the item. 7/

2. Positions of the nuclear-weapon States

19. The USSR has repeatedly stressed its continued commitment to an early achievement of a comprehensive test ban and its readiness to use all possibilities leading to the fulfilment of that objective. While pursuing with the United States full-scale stage-by-stage negotiations leading to a complete ban on nuclear testing, it continued to support parallel efforts within the Conference on Disarmament aimed at the preparation of a multilateral treaty on the complete and general prohibition of nuclear-weapon tests. The USSR also subscribed to the idea of extending the 1963 partial test-ban Treaty to underground nuclear tests. 8/

20. During the 1985 session of the Conference, the USSR announced its decision to stop unilaterally any nuclear explosions from 6 August 1985. The USSR further stated that the moratorium was to remain in effect as long as the United States, on its part, refrained from testing. This moratorium with four extensions remained in effect for one and a half years. 9/

21. Many delegations welcomed this decision. They stated that it reflected faithfully what the General Assembly had specifically requested in five successive resolutions approved annually since 1980. They expressed their belief that if the United States was to adopt a similar decision it would constitute a very useful step which might culminate in the attainment of the objective pursued for such a long time: the total cessation of nuclear-weapon tests.

22. Throughout these years the United States has repeatedly reaffirmed that a comprehensive test ban remained its long-term objective to be achieved in the context of significant reductions in the existing arsenals of nuclear weapons, the development of substantially improved verification measures, expanded confidence-building measures and a greater balance in conventional forces. The United States stated that it viewed nuclear testing issues in the broader context of national security and as long as it must rely on nuclear deterrence for its security and that of its allies, testing would remain essential. In that regard, it opposed the proposal to amend the 1963 partial test-ban Treaty. It continued to pursue with the Soviet Union agreements on nuclear-testing on a stage-by-stage basis leading - in association with the reduction and ultimate elimination of all nuclear weapons - to limitations and the ultimate ending of nuclear testing. Following the successful completion of the joint verification experiment, it had continued to pursue with the Soviet Union negotiations aimed at securing protocols which would provide for effective verification of compliance with the Threshold Test Ban Treaty and the Peaceful Nuclear Explosions Treaty, enabling them to be ratified. In that regard, the United States remained committed to negotiations with the Soviet Union in the context of a step-by-step approach to ending nuclear testing. With regard to the role of the Conference on Disarmament, the United States has reaffirmed its readiness to participate in multilateral discussion on nuclear testing at the Conference under an appropriate non-negotiating mandate. 10/

23. The United Kingdom has expressed the view that its security would depend for the foreseeable future on deterrence based, in part, on nuclear weapons; this would mean a continuing requirement to conduct underground nuclear tests to ensure that its nuclear weapons remained effective and up to date. The United Kingdom has welcomed the moves to ratify the Threshold Test Ban Treaty and the Peaceful Nuclear Explosions Treaty. It has expressed the belief that following such ratification further steps to control nuclear testing would have to be considered, as verification technology improved and taking account of progress in other areas of arms control. A comprehensive test ban remained a long-term goal, but it remained firmly of the view that an immediate move to a comprehensive test ban would be premature - even destabilizing. For these reasons, among others, the United Kingdom was opposed to the proposal to amend the partial test ban Treaty in order to convert it into a comprehensive test ban. 11/

24. France has maintained that international commitments in the field of nuclear testing can be considered only in the overall context of nuclear disarmament and has stressed that the cessation of nuclear-weapon testing is not a pre-condition for progress towards nuclear disarmament but, on the contrary, could become significant at the end of a long-term process resulting in real and effective nuclear disarmament. France emphasized that it could not agree to the obsolescence of its limited nuclear deterrent and that only

the nuclear explosions necessary to maintain its credibility had been conducted. France also stressed that, in the context of deep reductions of nuclear weapons, the problem of reliability of the remaining weapons could, in its view, only become more important. France stressed that it would not stand in the way of any procedural agreements that might be reached to deal with the item in the Conference on Disarmament, but it reaffirmed that it was not in a position to participate in work whose objective was the negotiation of an agreement to which it could not subscribe. 12/

25. China has stated that it has always stood for a comprehensive prohibition and thorough destruction of nuclear weapons, including the cessation of nuclear tests, and that it would be prepared to take corresponding measures in the process of cessation of the nuclear arms race and nuclear disarmament, in which the two States possessing the largest nuclear arsenals should take the lead in halting the development, production and deployment of all nuclear weapons and drastically reducing their nuclear arsenals. China has reiterated its flexible position towards the various proposals submitted thus far on the mandate for a subsidiary body of the Conference on item 1 of its agenda. China has also reiterated that if and when agreement is reached on the mandate, enabling such a body to be established, it would participate in its work. 13/

III. AD HOC GROUP OF SCIENTIFIC EXPERTS TO CONSIDER INTERNATIONAL CO-OPERATIVE MEASURES TO DETECT AND IDENTIFY SEISMIC EVENTS

26. As was the case in the bilateral and trilateral negotiations, the question of adequate verification procedures has remained one of the major problems in the multilateral considerations on a comprehensive test ban. Over the years, a number of proposals have been made in order to solve the issue.

27. Upon a proposal by Sweden, which believed that adequate means to deter any clandestine testing under an agreement could be provided by a global seismic monitoring system, the then Conference of the Committee on Disarmament set up in 1976 an Ad Hoc group of scientific experts to study that possibility.

28. The Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events has continued its work on measures which might be established in the future for the international exchange of seismological data under a treaty prohibiting nuclear weapon tests covering nuclear explosions for peaceful purposes in a protocol which would be an integral part of the treaty, in accordance with the terms of reference given to it by the Committee on Disarmament in 1979 (CD/PV.48). Since the second special session of the General Assembly devoted to disarmament, the Ad Hoc Group has prepared three substantive reports on its work. In 1984, the Ad Hoc Group presented its third report containing detailed, preliminary instructions for the comprehensive experimental testing of a global system which might be established for the international exchange of seismological data under a future treaty (CD/448). In 1986, the Ad Hoc Group presented its fourth report (CD/720) which contained a detailed description of the results of and experience gained from the large-scale technical test conducted by the Group during 1984. That test, which had been termed the Group of Scientific Experts' Technical Test (GSETT), had comprised exchange and analysis of parameter (Level I) data using the Global Telecommunications System of the World Meteorological Organization (WMO) on the regular use basis authorized by the WMO in 1983.

29. In 1989, the Group presented its fifth report to the Conference, describing initial concepts for a modern international seismic data exchange system based on the expeditious exchange of waveform (Level II) and parameter (Level I) data and the processing of such data at international data centres (IDCs) (CD/903 and Corr.1). The Group in August 1989, finalized seven appendices to that report containing detailed and technical material related to the future system. The Ad Hoc Group has agreed upon preliminary technical specifications for modern prototype "CD-Stations", able to collect and expeditiously exchange high quality waveform data from seismic events at all distances. After testing and evaluation of these preliminary specifications, this CD-Station concept could form the basic standard for stations in the global network. The Group has agreed that national data centres (NDCs) will be responsible for providing agreed seismic data to international data centres (IDCs) for processing according to agreed procedures, and distribution of results to all participants. Current plans are to establish a minimum of four IDCs, to be located in Canberra, Australia; Stockholm, Sweden; Moscow, USSR and Washington D.C., United States of America. The envisaged global system incorporates the concept of rapid, reliable high-capacity international data communications, using modern technology. 14/

30. Furthermore, the Ad Hoc Group had proposed in 1986 to conduct a large-scale experiment to test the proposed concepts, in order to provide an opportunity for the Group to evaluate the performance of the proposed concepts and to make recommendations for changes to these concepts as appropriate. The initial phase of this large-scale experiment, which is called the Group of Scientific Experts' Second Technical Test (GSETT-2), was completed in 1989. The second phase of GSETT-2 started on 16 January 1990. Twenty-one countries participated in the first stage of that second phase, which lasted until 6 March 1990, in a gradual build-up to the envisaged full-scale operation. Phase two will continue with a number of activities until the Group's next session from July-August 1990. The Group plans to carry out the full-scale test (Phase 3) in two parts. The first part will comprise preparatory testing during the second half of 1990. The main phase of GSETT-2, involving continuous full-scale operation over an extended period of time, will be conducted during the first half of 1991. 15/

Notes

1/ No consensus has been achieved on any of the draft mandates, although the Western draft has not been formally presented to the Conference for a decision.

2/ A/S-15/2, p. 17.

3/ A/44/27, pp. 14-15.

4/ CD/863 states:

"In the exercise of its responsibilities as the multilateral disarmament negotiating forum in accordance with paragraph 120 of the Final Document the Conference on Disarmament decides to re-establish an Ad Hoc Committee under item 1 of its agenda entitled 'Nuclear Test Ban'.

"The Conference requests the Ad Hoc Committee to initiate, as a first step towards achieving nuclear test ban treaty, substantive work on specific and interrelated test ban issues, including structure and scope as well as verification and compliance.

"Pursuant to its mandate, the Ad Hoc Committee will take into account all existing proposals and future initiatives. In addition, it will draw on the knowledge and experience that have been accumulated over the years in the consideration of a comprehensive test ban in the successive multilateral negotiating bodies and the trilateral negotiations.

"The Conference also requests the Ad Hoc Committee to examine the institutional and administrative arrangements necessary for establishing, testing and operating an international seismic monitoring network as part of an effective verification system of a nuclear test ban treaty. The Ad Hoc Committee will also take into account the work of the Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events.

"The Ad Hoc Committee will report to the Conference on Disarmament on the progress of its work before the conclusion of the 1988 session."

5/ A/44/27, p. 15.

6/ Ibid., p. 16.

7/ Ibid., pp. 17-18.

8/ Ibid., p. 17.

9/ A/40/27, p. 15.

10/ A/44/27, p. 18.

11/ Ibid., pp. 18-19.

12/ Ibid., p. 19.

13/ Ibid., p. 19.

14/ CD/903 and Corr.1, pp. 5-9.

15/ CD/981, paras. 6-12.

Fourth Review Conference
of the Parties to the Treaty
on the Non-Proliferation of Nuclear Weapons

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ORIGINAL: ENGLISH

PRESENT STATUS OF NEGOTIATIONS OF THE CONFERENCE ON DISARMAMENT ON EFFECTIVE MEASURES RELATING TO CESSATION OF THE NUCLEAR-ARMS RACE AT AN EARLY DATE AND TO NUCLEAR DISARMAMENT, AND ON A TREATY ON GENERAL AND COMPLETE DISARMAMENT UNDER STRICT AND EFFECTIVE INTERNATIONAL CONTROL

Background paper by the Secretariat

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INTRODUCTION

1. The Preparatory Committee for the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, at its first session (1 to 5 May 1989), invited the Secretary-General of the United Nations to prepare for the Committee's second session a report on the present status of negotiations of the Conference on Disarmament on effective measures relating to cessation of the nuclear-arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control. At the request of the Committee, at it second session (11-15 September 1989), the paper was revised and updated for the Committee's third session (23 April-2 May 1990). At that session, the Committee requested that, in the light of comments made during its discussion, the background paper be updated and revised as necessary where appropriate for submission to the Conference. This paper is submitted in response to that request.

2. The paper outlines the current status of the negotiations in the Conference on Disarmament and focuses, in particular, on developments since the Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, held in 1985. The paper is based entirely on the official records of the single multilateral negotiating body, the Conference on Disarmament and its predecessor, the Committee on Disarmament.

I. EFFECTIVE MEASURES RELATING TO CESSATION OF THE NUCLEAR-ARMS RACE AT AN EARLY DATE AND TO NUCLEAR DISARMAMENT

1. Background

3. The States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in the Final Declaration of the Third Review Conference of the Parties to the Treaty, held at Geneva from 27 August to 21 September 1985, noted the lack of progress on relevant items of the agenda of the Conference on Disarmament, in particular those relating to the cessation of the nuclear-arms race and nuclear disarmament, the prevention of nuclear war including all related matters and effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. Furthermore, they urged the Conference on Disarmament, as appropriate, to proceed to early multilateral negotiations on nuclear disarmament in pursuance of paragraph 50 of the Final Document of the Tenth Special Session of the General Assembly, the first special session devoted to disarmament (resolution S-10/2 of 30 June 1978).

4. When the Committee on Disarmament, the predecessor of the Conference on Disarmament, held its first session at Geneva, in 1979, it considered, inter alia, the item "Cessation of the nuclear-arms race and nuclear disarmament". Since then, every year, the multilateral negotiating body has included that question in its programme of work, as agenda item 2. From the very beginning it was accepted that bilateral and other negotiations outside the Committee should continue, with the participants in such negotiations keeping the multilateral negotiating body duly

informed. The desirability of the participation of all nuclear-weapon States in efforts to curb the nuclear-arms race as well as the special responsibility of the two leading Powers were recognized by many delegations.

5. The initial task of the Committee was viewed as that of identifying the prerequisites and elements of multilateral negotiations on nuclear disarmament and delineating the course of action for the achievement of the objective pursued. 1/ Subsequently, the establishment of a working body for negotiation of concrete measures in the field of nuclear disarmament could be considered. 2/

6. An agreed basis for progress in the Committee, however, could not be found. In 1980, in its report to the General Assembly, 2/ the Committee stated that it did not have an opportunity to attempt to reconcile the different points of view as regards the approach, machinery and basis for multilateral negotiations on nuclear disarmament. In that context, various delegations emphasized, inter alia, that an appropriate degree of trust and confidence among States, especially nuclear-weapon States, would facilitate negotiations; that negotiations, in turn, would greatly contribute to the relaxation of international tensions; that the participation of non-nuclear-weapon States was essential in such negotiations since nuclear disarmament was of concern to all States; and that the ratification of the SALT II agreements, the opening of new strategic negotiations, and early negotiations on nuclear weapons in Europe were of paramount importance and urgency.

7. The Group of 21, searching for a common approach that would enable the Committee on Disarmament to discharge the mandate entrusted to it by the General Assembly of the United Nations, proposed on 24 April 1981 that an ad hoc working body should be established with the mandate of finding substantive issues for multilateral negotiations, on the following basis: 3/ (a) the elaboration and clarification of the stages of nuclear disarmament envisaged in paragraph 50 of the Final Document of the Tenth Special Session of the General Assembly (resolution S-10/2), including identification of the responsibilities of the nuclear-weapon States and the role of the non-nuclear-weapon States in the process of achieving nuclear disarmament; (b) clarification of the issues involved in prohibiting the use or threat of use of nuclear weapons, pending nuclear disarmament, and in the prevention of nuclear war; (c) clarification of the issues involved in eliminating reliance on doctrines of nuclear deterrence; (d) measures to ensure an effective discharge by the Committee on Disarmament of its role as the single multilateral negotiating body in the field of disarmament and in this context its relationship with negotiations relating to nuclear disarmament conducted in bilateral, regional and other restricted forums.

8. The socialist countries also favoured the establishment of an ad hoc working body. Western delegations, on the other hand, felt that the agenda item provided relatively little scope for useful work by the Committee. They considered that the most effective route to nuclear-arms control lay through negotiations between the nuclear Powers, particularly the United States and the Soviet Union. The differences of view prevailing on the subject in the Committee could not be reconciled, even after informal meetings were held to undertake an examination of concrete issues involved in respect of the agenda item.

9. The 1982 Special Report of the Committee on Disarmament to the Second Special Session of the General Assembly Devoted to Disarmament provided a comprehensive account of the differences existing in the Committee over the general approach to the question of nuclear disarmament and the basis for multilateral negotiations. 4/ The report stressed, inter alia, that there was no consensus on the establishment by the Committee of a subsidiary body for the conduct of those negotiations. A proposal had been made by the Group of 21, the report noted, for the establishment of an ad hoc working body of the Committee to undertake multilateral negotiations. A similar proposal had been made by a group of socialist States. Neither of the two proposals had secured the consensus of the Committee. The Western States believed that the Committee should continue to address questions relating to nuclear disarmament in its plenary meetings as well as in informal meetings for the present, and not embark on negotiations in a working group as nuclear-weapons questions fell within the competence of the States directly concerned. 5/

10. No appreciable progress on these matters was made by the Committee at the 1983 session, nor by the Conference on Disarmament in 1984. In the course of that year, a group of socialist States as well as the Group of 21 formally proposed mandates for an ad hoc negotiating body within the Conference on Disarmament.

11. The text of the mandate proposed by a group of socialist States read as follows:

> "The Conference on Disarmament decides to establish, for the remainder of its 1984 session, an Ad Hoc Committee for negotiations to begin the elaboration of practical measures for the cessation of the nuclear-arms race and for nuclear disarmament in accordance with paragraph 50 of the Final Document of the first special session of the General Assembly devoted to disarmament, including a nuclear-disarmament programme. The Ad Hoc Committee will report to the Conference on Disarmament on the progress of its work at the end of its 1984 session." 6/

12. The text of the mandate proposed by the Group of 21 was as follows:

> "In the discharge of its responsibility as the only multilateral disarmament negotiating forum, in accordance with paragraph 120 of the Final Document of SSOD I, the Conference on Disarmament decides to establish an ad hoc Committee under agenda item 2.
>
> "The Conference requests the ad hoc Committee to elaborate on paragraph 50 of the Final Document of SSOD I and to submit recommendations to the Conference as to how it could best initiate, at the beginning of its 1985 session, multilateral negotiations of agreements, with adequate measures of verification, in appropriate stages for:
>
> "(a) Cessation of the qualitative improvement and development of nuclear weapons systems;

"(b) Cessation of the production of all types of nuclear weapons and their means of delivery and the production of fissionable material for weapons purposes;

"(c) Substantial reduction in the existing nuclear weapons with a view to their ultimate elimination.

"The ad hoc Committee will take into account all existing proposals and future initiatives and report on its work to the Conference on Disarmament before the end of its 1984 session." 7/

13. It was generally felt in the multilateral negotiating body that the existence of adverse trends in the international situation were a major cause of the lack of any significant progress. The year 1984 ended, however, on a positive note, as the Soviet Union and the United States announced, in November, their agreement to enter into new bilateral negotiations early in 1985, on a complex of questions concerning space and nuclear arms. The announcement was widely welcomed as a step in a better direction.

2. Status of negotiations

14. Consultations were again held during the early part of the 1985 session of the Conference on Disarmament to consider the procedure to be followed in the consideration of the item "Cessation of the nuclear-arms race and nuclear disarmament" and the possible establishment of a subsidiary negotiating body.

15. The two formal proposals made during the previous year's session by a group of socialist States and by the Group of 21 concerning a mandate for a subsidiary body were again put before the Conference. The socialist countries declared that they were prepared also to accept the mandate suggested by the Group of 21. However, the Western States maintained that they were not in a position to join in a consensus on such a mandate, as they were not convinced that the creation of a subsidiary body on the item would contribute to the cause of nuclear disarmament. Consequently, in 1985, the issues of nuclear disarmament were once again dealt with only in plenary statements.

16. The United States held that the two major nuclear Powers carried a special responsibility for reducing and eventually eliminating nuclear arms, but that the multilateral arms control process was an essential complement to the bilateral negotiations. The two could and must be mutually reinforcing. Speaking on the subject in subsequent statements, the United States said that it had been pleased to introduce the joint United States-Soviet statement of 8 January 1985, 8/ which, inter alia, set forth the objective of terminating the arms race on Earth and of limiting and reducing nuclear weapons. The United States would continue to pursue that objective. It had not yet been possible, however, to replace the role of nuclear deterrence in preventing major conflict with security arrangements of which nuclear weapons were not an integral part.

17. The Soviet Union also drew attention to the agreement reached between the United States and itself on new negotiations which ultimately, according to the joint statement of the two countries, should lead to the complete elimination of nuclear arms everywhere. At the same time, however, the world continued to face danger, it stated, for the arms race was gaining momentum and various countries and regions were being drawn into it with ever-growing intensity. For their part, the Soviet Union and other socialist countries were convinced that the possibility of a turn for the better in the international situation existed, but that it required serious dialogue. Other socialist States also expressed appreciation for the commencement of the bilateral negotiations between the Soviet Union and the United States.

18. The position of the Western States - as expressed by Italy for instance - was to welcome the resumption of bilateral negotiations between the United States and the Soviet Union. Italy believed that there was no alternative to dialogue and peaceful co-operation. Nevertheless, the situation must be viewed realistically: one should be interested even in interim objectives, provided one did not lose sight of the progressive elimination of nuclear armaments. The United Kingdom held that the opening of the bilateral negotiations should encourage the members of the Conference in their multilateral work. However, as noted above, the Western States did not believe that the agenda item on the nuclear-arms race and disarmament was ripe for immediate negotiations. They stressed that negotiations, to stand a chance of success, required careful definition and a precise, agreed objective. Among the other points emphasized by the Western States was the importance of substantial and verifiable reductions in nuclear weapons. At the same time, they underlined that nuclear-arms reductions could not be divorced from conventional disarmament measures and should be pursued with a view to enhancing international stability and security.

19. China regarded the reopening of negotiations between the United States and the Soviet Union as a positive development, one which the world had been earnestly looking forward to. Realizing that the goal of nuclear disarmament could not be achieved overnight, China repeated its proposal that the two super-Powers take the lead in halting the testing, improvement and production of nuclear weapons and in substantially reducing their nuclear arsenals and that, thereafter, other nuclear States take corresponding measures. Given the fact that both super-Powers had long had an overkill capacity, implementation of its suggestion would affect neither their "balance of forces" nor their "equal security" and hence should present them with no difficulties, China held.

20. Like other groups and delegations, the members of the Group of 21 welcomed the Soviet-United States agreement to negotiate. They considered, however, that the agreement did not detract from the need for multilateral negotiations. They strongly advocated the establishment of a subsidiary body to negotiate on cessation of the nuclear-arms race and nuclear disarmament, but there was no consensus thereon. Thus, the stalemate continued throughout the 1985 session of the Conference on Disarmament.

21. In 1986, once again the Conference on Disarmament considered the nuclear disarmament item in plenary meetings. In addition, a number of informal meetings were devoted to the substance of the item.

22. The Soviet Union drew attention to a statement made by General Secretary Gorbachev on 15 January 1986, 9/ in which he had put forward a programme for a stage-by-stage elimination of nuclear weapons by the year 2000.

23. The United States, for its part, was pleased that the Soviet Union agreed in principle with the ultimate goal of moving to the total elimination of nuclear weapons when it became possible, but cautioned that the complexity of the task should not be underestimated. It also believed that significant reductions in offensive nuclear weapons, which were being negotiated bilaterally, should be the first step in the process of nuclear disarmament. It further recalled its long-held position that the achievement of a world free of nuclear weapons was a process that required the resolution of other serious security issues at the same time, such as the imbalance it perceived in conventional and other forces, the need to ensure full compliance with existing and future agreements and the free and peaceful resolution of regional conflicts without outside interference.

24. A number of Western States expressed the view that Soviet-United States bilateral talks on nuclear and space weapons offered the best means of achieving progress in nuclear-arms control and disarmament and called for early progress in areas where there was common ground, including conclusion of an interim agreement on intermediate-range nuclear forces. They were not convinced that the creation of a subsidiary body to deal with the Conference's agenda item on the cessation of the nuclear-arms race would contribute to the cause of nuclear disarmament.

25. The United Kingdom restated its position that its own strategic nuclear forces were not relevant to any possible agreement on intermediate nuclear forces in Europe, as they were not comparable in their capability or role with those of the two major Powers. Similarly, France observed that the Soviet proposal for large cuts in the nuclear arsenals of the two major Powers was a step in the right direction, but rejected the idea that France and the United Kingdom should freeze their nuclear weapons at the outset. In its view, such a move would unacceptably jeopardize their security.

26. Socialist countries regarded the Soviet Union's proposal as a good starting-point for negotiations on nuclear disarmament and gave it their full support.

27. The non-aligned and neutral States regretted that so far it had not been possible to establish an ad hoc committee on the item. In the absence of such a body, discussions in informal meetings should, in their view, aim at clarifying issues and positions regarding the various aspects of nuclear disarmament so as to prepare ground for eventual negotiations in a subsidiary committee. They pointed out that the consideration of the item still lacked structure and purpose and thus did not advance the search for a common approach. They recalled their proposal that a future ad hoc committee should submit recommendations as to how the Conference could initiate the multilateral negotiation of agreements with adequate measures of verification, in appropriate stages, for (a) the cessation of the qualitative improvement and development of nuclear-weapon systems; (b) the cessation of the production of all types of nuclear weapons and their means of delivery and of the production of fissionable material for weapons purposes; and

(c) the substantial reduction in existing nuclear weapons with a view to their ultimate elimination. They further believed that the adoption of certain priority measures, such as halting the testing of nuclear-weapon systems, would create favourable prospects for negotiations on reductions. Welcoming the ongoing bilateral negotiations on nuclear weapons, they stressed that the bilateral and multilateral negotiations should facilitate and complement each other.

28. China held that the complete prohibition and thorough destruction of nuclear weapons was essential to the elimination of the menace of nuclear war. By "complete prohibition", it meant the prohibition of all types of nuclear weapons, including their testing, development, production, deployment and use. By "thorough destruction", it meant the eventual elimination of all nuclear weapons from the face of the Earth. It stressed the two major Powers' special responsibility for nuclear disarmament and reiterated its proposal for a broadly representative international conference with the participation of all nuclear-weapon States to discuss further measures for nuclear disarmament, once the two major Powers had drastically reduced their nuclear weapons.

29. Early in the 1987 session, as it became evident that no consensus was possible on the establishment of an ad hoc committee to deal with the item, consultations proceeded on how to develop an organizational framework which would build on the procedures followed at the 1986 session. On 20 June, the Conference decided to hold informal meetings on the substance of the item and to reflect the discussions at those informal meetings in its report to the General Assembly. 10/ Six informal meetings were held under that arrangement. At the time of the decision, the President of the Conference read out a list of topics for the purpose of facilitating a structured discussion at the informal meetings. He stressed that the list was his own and not binding on any delegation, and noted that it was understood that members wishing to do so might raise any subject relevant to the item. The following topics were listed:

- Interrelation between bilateral and multilateral consideration of the cessation of the nuclear-arms race and nuclear disarmament; participation in negotiations for the cessation of the nuclear-arms race and nuclear disarmament; role of the Conference on Disarmament;

- Security concepts relating to nuclear weapons;

- Implementation of paragraph 50 of the Final Document;

- Interrelation between measures for the cessation of the nuclear-arms race and disarmament measures in other areas;

- Verification in relation to the purposes, scope and nature of agreements;

- Existing proposals. 11/

30. In statements made at plenary and informal meetings, certain trends emerged on a number of issues relating to the agenda item. Those trends reflected well-known positions of the various groups on specific aspects. Non-aligned and neutral

States again put on record the fact that it had not been possible to establish an ad hoc committee on the item with an appropriate mandate. They none the less welcomed the efforts to structure the discussions on the basis of the President's list of topics. They also underlined the role and importance of multilateral negotiations and reaffirmed the provisions of the 1978 Final Document to the effect that nuclear weapons posed the greatest danger to mankind and to the survival of civilization.

31. Socialist countries stressed the crucial importance of bilateral negotiations, but pointed out that the total elimination of nuclear weapons could only be achieved through multilateral negotiations with the participation of all nuclear-weapon States. The Conference on Disarmament, owing to its composition, seemed particularly well suited to that purpose. Socialist States regretted that the Conference had not made substantive progress on the item and favoured the creation of an ad hoc committee with appropriate terms of reference. They reiterated that the doctrine of nuclear deterrence was a driving force in the continuing qualitative and quantitative development of nuclear arms.

32. Western countries emphasized that security was pivotal to all arms limitation and disarmament policy and that disarmament was not an end in itself, but a tool in the service of peace and stability. The aim should be to strengthen security for all. They welcomed the bilateral negotiations in progress and stated that they should play a vital role in any nuclear-disarmament process. They believed that the establishment of a subsidiary organ in the Conference was not appropriate in the circumstances and that informal meetings constituted the most suitable framework for consideration of the item.

33. At the 1988 session of the Conference on Disarmament, the Group of 21 reaffirmed its conviction of the paramount need for urgent multilateral negotiations on the cessation of the nuclear-arms race and nuclear disarmament and for the adoption of concrete measures leading to the complete elimination of nuclear weapons. Its basic position was that all nations had a vital interest in negotiations on nuclear disarmament, because the existence of nuclear weapons in the arsenals of a handful of States and their quantitative and qualitative development directly jeopardized the security of both nuclear and non-nuclear-weapon States. Some members of the Group pointed out that States that had voluntarily renounced the nuclear-weapons option had done so in the larger interest of contributing to the goal of a world free of nuclear weapons and in the expectation that the nuclear-weapon States would also come to renounce them. To deny to the non-nuclear-weapon States the right to participate in the elaboration of measures for nuclear disarmament would therefore be morally indefensible as well as legally incorrect, the non-aligned members held. They also believed that doctrines of nuclear deterrence lay at the root of the continuing development of nuclear armaments and increased insecurity and instability in international relations.

34. Accordingly, the Group of 21 proposed that the Conference set up an ad hoc committee to elaborate on paragraph 50 of the 1978 Final Document, by which the General Assembly had recognized the urgent need for negotiation of agreements, in appropriate stages and with adequate measures of verification, for the cessation of

the qualitative improvement and development of nuclear-weapons systems; cessation of the production of all types of nuclear weapons and their means of delivery and the production of fissionable material for weapons purposes; and the substantial reduction of existing nuclear weapons with a view to their ultimate elimination. The text of the draft mandate proposed by the Group of 21 read as follows:

"1. In the discharge of its responsibility as the single multilateral disarmament negotiating forum, in accordance with paragraph 120 of the Final Document of SSOD-I, the Conference on Disarmament decides to establish an Ad Hoc Committee under item 2 entitled 'Cessation of the nuclear-arms race and nuclear disarmament'.

"2. The Conference requests the Ad Hoc Committee, as a first step, to elaborate on paragraph 50 of the Final Document and to identify substantive issues for multilateral negotiations as follows:

"(i) the elaboration and clarification of the stages of nuclear disarmament envisaged in paragraph 50 of the Final Document, including identification of the responsibilities of the nuclear-weapon States and the role of the non-nuclear-weapon States in the process of achieving nuclear disarmament;

"(ii) clarification of the issues involved in prohibiting the use or threat of use of nuclear weapons, pending nuclear disarmament, and in the prevention of nuclear war;

"(iii) clarification of the issues involved in eliminating reliance on doctrines of nuclear deterrence;

"(iv) measures to ensure an effective discharge by the CD of its role as the single multilateral negotiating body in the field of disarmament and in this context its relationship with negotiations relating to nuclear disarmament conducted in bilateral, regional and other restricted forums.

"3. The Ad Hoc Committee will take into account all existing proposals and future initiatives and report on its work to the Conference on Disarmament before the end of its 1988 session." 12/

35. The socialist members stressed the primary importance they attached to the cessation of the nuclear-arms race and nuclear disarmament. While underlining the significance of the bilateral efforts to conclude a treaty on a 50-per-cent reduction in the strategic offensive weapons of the two major nuclear-weapon States, they favoured the beginning of multilateral negotiations with the participation of all nuclear-weapon States within the Conference on Disarmament. Consequently, they supported the proposal of the Group of 21 for the establishment of a subsidiary body on the issue. They also supported proposals aimed at conducting an in-depth consideration of the substance of the nuclear disarmament item in informal plenary meetings of the Conference.

36. The Soviet Union drew attention to its programme for the progressive elimination of nuclear weapons throughout the world by the year 2000. It pointed out that after the signing of the Treaty on the Elimination of Intermediate-Range and Shorter-Range Missiles, the INF Treaty, the prospect had opened up of reaching agreement on a more difficult question: 50-per-cent reductions in strategic offensive arms in conditions of compliance with the Treaty on the Limitation of Anti-Ballistic Missile Systems, the ABM Treaty, as signed in 1972, and non-withdrawal from the Treaty for a specified period of time. It also stressed that bilateral efforts, undertaken through bilateral negotiations, should be complemented by multilateral efforts. It was necessary to know when and under what conditions the other nuclear-weapon States would join the process of nuclear disarmament. In its view, the possibility already existed of starting discussion at the Conference on specific directions for multilateral efforts in the domain of nuclear disarmament. For that reason, it suggested beginning to identify in practice the substance of possible multilateral measures in that field. On the question of security concepts relating to nuclear arms, the Soviet Union advocated the establishment of a comprehensive system of international peace and security to replace the deterrent role played by nuclear weapons.

37. Western members also emphasized that they attached importance to issues of nuclear-arms limitation and disarmament, in particular, to substantial and verifiable reductions of nuclear weapons. They believed that the negotiations between the two major Powers played a vital role in any process for the cessation of the nuclear-arms race and nuclear disarmament, and welcomed the commitment of those two States to the ultimate elimination of nuclear weapons. Western States considered that, for the time being, informal and plenary meetings constituted the most suitable framework for continuing the work of the Conference on the cessation of the nuclear-arms race and nuclear disarmament. They also emphasized that nuclear-arms reductions could not be divorced from other disarmament measures and should be pursued so as to enhance international stability and security.

38. The United States stressed that the arms race could not be dealt with as an abstract issue and that the tensions between States or groups of States that caused a build-up of arms must be taken into account. It believed that nations acquired nuclear weapons for the same reason that they acquired conventional ones - to enhance security. Nuclear weapons were an essential component of its strategy of deterrence, which, in its opinion, contributed to preserving peace between the two major Powers and their allies, and such weapons would remain part of its arsenal for the foreseeable future.

39. The United Kingdom also stated that its security would depend for the foreseeable future on nuclear deterrence. Meanwhile, its aim was to maintain security and peace at lower levels of nuclear forces, combined with the complete elimination of chemical weapons and progress towards conventional stability at lower levels of forces, taking into account imbalances. The most realistic way to make progress, it felt, was through bilateral United States-Soviet Union negotiations aimed at step-by-step mutual, balanced and effectively verifiable agreements. Given the minimum nature of its own nuclear deterrent, the United Kingdom did not feel that it had any scope for contributing to reductions at present; it would maintain the credibility of its deterrent.

40. France reaffirmed its support for increasingly greater nuclear-arms control. From that point of view, it stressed the priority of reductions in the nuclear arsenals of the United States and the Soviet Union, in particular the priority objective of a 50-per-cent reduction of their offensive strategic weapons. While recognizing the importance of the INF Treaty, it cautioned that it should not be expected to lead to the denuclearization of Europe and that the priority in that region was the establishment of conventional stability.

41. China reiterated its call for the complete prohibition and thorough destruction of nuclear weapons. It held that the two States possessing the largest and most advanced nuclear arsenals bore special responsibility in that regard and that the entry into force of the INF Treaty should be followed by an agreement on the 50-per-cent reduction of their strategic nuclear weapons. China advocated that a broadly representative international conference with the participation of all the nuclear-weapon States be convened to discuss measures for further nuclear disarmament after the two major nuclear-weapon States had taken the lead in halting the testing, production and deployment of all types of nuclear weapons and in drastically reducing them. It was of the view that the nuclear-arms race should be halted in both its quantitative and its qualitative aspects. Moreover, China maintained that in the interests of promoting nuclear disarmament, great importance should be accorded to the issues of conventional disarmament and curbing the arms race in outer space.

42. Thus, the problem of finding an organizational framework acceptable to all the members of the Conference could not be resolved. Once again the Conference was faced with the request, to establish a subsidiary body which would allow substantive discussions on the nuclear-disarmament item. On behalf of the Group of Western States, it was stated that although Western delegations were prepared to participate in informal plenary meetings on the subject-matter of agenda item 2, they had not been convinced that the creation of a subsidiary body would contribute to the cause of nuclear disarmament and, therefore, were not in a position to join in a consensus with regard to the proposed mandate. The Group of Socialist States supported the draft mandate proposed by the Group of 21. While expressing its regret that a consensus had not been reached, it advocated the continuation of consultations in order to find an organizational framework acceptable to all that would allow a substantive discussion on the item. China, for its part, stated that it could go along, in principle, with the draft mandate submitted by the Group of 21. At the same time, it expressed its willingness to consider other ways and means to enable the Conference to play its role on the agenda item and hoped that consultations to that effect would continue. The Group of 21 expressed regret that despite the preliminary work carried out on the subject during 1986 and 1987, it had still not been possible to set up a subsidiary body on agenda item 2. They further stated that their firm commitment to the implementation of paragraph 50 of the Final Document and to the establishment by the Conference of a subsidiary body on the agenda item provided the best means to achieve that objective.

43. In the Special Report of the Conference on Disarmament to the Third Special Session of the General Assembly of the United Nations Devoted to Disarmament, dated 11 May 1988, the developments that have been described above were summed up as follows:

"65. The Group of 21 has consistently reaffirmed its conviction of the paramount need for urgent multilateral negotiations on the cessation of the nuclear-arms race and nuclear disarmament through adoption of concrete measures leading to complete elimination of nuclear weapons. In the opinion of the Group of 21, multilateral negotiations on nuclear disarmament have been long overdue. While welcoming the developments of the bilateral negotiations, the group reiterated that because of their limited scope and the number of parties involved, these could never replace the genuinely multilateral search for nuclear disarmament measures. The Group of 21 fully shared the view stated in the Final Document of the first special session of the General Assembly devoted to disarmament that the nuclear-arms race, far from contributing to the strengthening of security of all States, on the contrary, weakened it, and increased the danger of the outbreak of nuclear war. The Group of 21 reaffirmed its position that all nations had a vital interest in negotiations on nuclear disarmament, because the existence of nuclear weapons in the arsenals of a handful of States and their quantitative and qualitative development directly jeopardized the security of both nuclear and non-nuclear-weapon States. Further, effective cessation of the nuclear-arms race requires participation of all nuclear-weapon States in multilateral negotiations. The disparity that may exist between the nuclear arsenals of the two major nuclear-weapon States, on the one hand, and the nuclear arsenals of the other nuclear-weapon States, on the other hand, is a matter that should be dealt with in the process of multilateral negotiations and should not constitute an obstacle to the initiation of a process for the elimination of a fundamental disparity existing between nuclear-weapon States and non-nuclear-weapon States. Consequently, the Group of 21 has repeatedly stressed its belief that the Conference on Disarmament, whose members include all the nuclear-weapon States as well as non-nuclear-weapon States, should be allowed to fulfil its designated task in the sphere of nuclear disarmament, which has been entrusted to it by the United Nations General Assembly, in particular, by the Final Document of the first special session devoted to disarmament. The Group of 21 considered that the doctrines of nuclear deterrence which in the ultimate analysis were predicated upon the willingness to use nuclear weapons, far from being responsible for the maintenance of international peace and security, lay at the root of the continuing escalation of the quantitative and qualitative development of nuclear armaments and led to greater insecurity and instability in international relations. Military doctrines based on the possession of nuclear weapons, and thus explicitly or implicitly admitting the possibility of the use of nuclear weapons, were indefensible for it was unacceptable that the prospects of annihilation of human civilization be used by some States to promote their security. The future of mankind could not be made hostage to the perceived security requirements of a few nuclear-weapon States. The group reiterated that Article 51 of the United Nations Charter could not be invoked to justify the use or threat of use of nuclear weapons in the exercise of the right of self-defence in the case of conventional armed attack. For the above reasons, the Group of 21 has, throughout the period, reiterated its proposal regarding the setting up by the Conference of a subsidiary body entrusted to elaborate on paragraph 50 of that document and to identify substantive issues for multilateral negotiation of agreements, with adequate measures of verification

and in appropriate stages, for the cessation of the qualitative improvement and development of nuclear weapons systems; cessation of the production of all types of nuclear weapons and their means of delivery and the production of fissionable material for weapons purposes; and the substantial reduction in existing nuclear weapons with a view to their ultimate elimination. They have maintained in this regard that, in the nuclear age, the only valid doctrine is the achievement of collective security through nuclear disarmament. Both individually and collectively they have submitted a number of proposals dealing with the substance of the agenda item. The Group of 21 recalled the declaration of the 8th Conference of Heads of State or Government of Non-Aligned Countries at Harare, in particular stressing that bilateral and multilateral negotiations on disarmament should mutually facilitate and complement and not hinder or preclude, each other. The Conference on Disarmament should therefore be kept informed of all steps in bilateral negotiations and it should be enabled to fulfil its mandate as the sole multilateral negotiating body in the field of disarmament and to adopt concrete measures of disarmament, in particular, measures for nuclear disarmament. Many members of the group supported the successive pronouncements of the Six Nations' Initiative in Delhi, Mexico and Stockholm, which contain concrete proposals for dealing with the substance of this agenda item. Some members of the group supported the views expressed by the Heads of State or Government of the South Asian Association for Regional Co-operation at Dhaka, Bangalore and Kathmandu on the subject of nuclear disarmament.

"66. Members of the Group of Socialist States have consistently reiterated the primary importance they attach to the cessation of the nuclear-arms race and nuclear disarmament. While stressing the crucial importance of the bilateral efforts to this end, members of the group have at the same time repeatedly pointed out that the total elimination of nuclear weapons they have been seeking can only be achieved through multilateral negotiations with the participation of all nuclear-weapon States and that the Conference on Disarmament, owing to its composition, is particularly well suited for this purpose. Consequently, they have themselves proposed and supported proposals by the Group of 21 to establish a subsidiary body of the Conference, inter alia, to elaborate on paragraph 50 of the Final Document of SSOD I. In connection with the participation of the five nuclear-weapon States in the process of nuclear disarmament, they suggested the setting up of a sub-committee composed of these five States, having a negotiating mandate, with a view to contributing to a multilateral consideration of item 2 by the Conference on Disarmament itself. They have also called for an elaboration of a multilateral convention on the prohibition of the nuclear neutron weapon. Members of the Socialist Group supported the stage-by-stage programme for the achievement of nuclear disarmament by the year 2000 put forward in 1986 by the nuclear-weapon State belonging to the Group. They further stressed a discrepancy between substantial progress, achieved recently in the Soviet-American bilateral negotiations, embodied by the INF Treaty, and lack of progress in the field of nuclear disarmament on the multilateral level. Members of the group deem it necessary for all countries to concentrate their efforts on the following priorities: to ensure the entry into force and the implementation of the Treaty between the USSR and the United States on the

Elimination of Their Intermediate-range and Shorter-range Missiles; the conclusion of a treaty in the first half of 1988 between the USSR and the United States on a 50 per cent reduction in strategic offensive arms, and an agreement on strict compliance with the ABM Treaty, as signed in 1972, and on non-withdrawal from that Treaty for an agreed period. In the framework of the CSCE process, they proposed to commence separate negotiations on reductions of tactical nuclear weapons in Europe, including the nuclear components of dual purpose systems, and the ensuing elimination of such weapons. The weapons eliminated in the process of disarmament and arms reductions should not be replaced by others. They have consistently criticized the doctrine of nuclear deterrence and advocated the establishment of a comprehensive system of international peace and security. Throughout the period, members of the group have submitted a number of proposals on various substantive aspects of the item, inter alia, on the creation of zones free of nuclear weapons in the Balkans, central Europe and in northern Europe, the reduction of armaments and the enhancement of confidence in central Europe, the establishment of a nuclear-free corridor and of a zone of confidence and a reduced level of armaments along the line of contact between the Warsaw Treaty and NATO, the commencement of the process of restricting military activities and lowering the level of military confrontation in Europe, both north and south, and the turning of the Mediterranean into a zone of peace and co-operation.

"67. The nuclear-weapon State belonging to the Group of Socialist States drew attention to the programme for the progressive elimination of nuclear weapons throughout the world by the year 2000, contained in the statement of 15 January 1986 of the General Secretary of the Central Committee of the Communist Party of the Soviet Union, M. S. Gorbachev (CD/649). The delegation of this State pointed out that after the signing of the Treaty on the Elimination of Intermediate-Range and Shorter-Range Missiles a prospect had opened up for reaching agreement on a more difficult question: 50 per cent reductions in strategic offensive arms in conditions of compliance with the ABM Treaty, as signed in 1972, and non-withdrawal from it for a specified period of time. The same delegation also stressed that bilateral efforts undertaken through bilateral negotiations, should be complemented by efforts on a multilateral level. Combined efforts should lead to a world free of nuclear weapons. While it realized the need for prior reduction of the arsenals of the two leading nuclear-weapon States, it was still necessary to know when and under what conditions the other nuclear-weapon States would join the process of nuclear disarmament. In the view of the delegation of this State, the real prospect of reducing by half strategic offensive arms of the Soviet Union and the United States opened up the possibility to start already now the discussion at the Conference on Disarmament of concrete directions for multilateral efforts in the domain of nuclear disarmament. For that reason, it suggested starting to identify in practice the substance of possible multilateral measures in this field. The delegation concerned also proposed a series of points for the activities of the Conference, establishment of a comprehensive, phased programme with an agreed timetable for the complete elimination of nuclear weapons; preparation of principles to serve as a basis for implementing nuclear disarmament; examination of the relationship between nuclear disarmament measures and measures for reducing conventional weapons,

of the order in which nuclear arms would be eliminated, of control and verification as well as the cessation of the production of fissionable materials for weapons purposes by proposing to this end to create in the framework of the Conference a group of experts or any other mechanism to study this problem with the participation of all nuclear powers at the stage of complete elimination of their nuclear weapons. On the question of security concepts relating to nuclear arms, the same delegation compared the criterion of a 'reasonably sufficient level' with the concept of deterrence based on the threat of use of nuclear weapons, a concept which, in its view, aimed at military superiority, constituted the basis for continuation of the arms race and was dangerous also because it doomed all States to live in constant fear, making them nuclear hostages. It advocated the establishment of a comprehensive system of international peace and security to replace the deterent role played by nuclear weapons.

"68. Members of the Group of Western countries have repeatedly stressed the importance they attach to the subject matter addressed under this agenda item and the importance they attach in particular to substantial and verifiable reductions of nuclear weapons. In this context, they welcomed the bilateral negotiations in progress between the two major nuclear-weapon States and stated that those negotiations played a vital role in any process for the cessation of the nuclear-arms race and nuclear disarmament. They welcomed the successful outcome of the negotiations by the two main Powers for the elimination of their intermediate-range nuclear forces. They also hoped that an agreement could be concluded in the near future for the 50 per cent reduction of the same two States' strategic arsenals and welcomed their commitment to the ultimate elimination of nuclear weapons. Delegations of the group considered that the establishment of a subsidiary organ was inappropriate at the present stage and that, under current circumstances, informal and plenary meetings constituted the most suitable framework for the continuation of work on the cessation of the nuclear-arms race and nuclear disarmament. Members of the group also emphasized that nuclear-arms reductions could not be divorced from other disarmament measures and should be pursued so as to enhance international stability and security. In this regard, it was noted that deterrence could not be assigned a purely nuclear status and that there were instances of competition in arms at regional rather than global level, typically in conventional arms, which often were the product of mutual suspicion and military and foreign policies. Furthermore, the continuing importance of nuclear deterrence for security was underscored. A delegation noted that nuclear disarmament, through the negotiation of balanced and verifiable agreements, would reduce and should ultimately remove the necessity for countries to rely on nuclear deterrents.

"69. One nuclear-weapon State belonging to the Western Group observed that it did not believe that an arms race could be successfully addressed without taking into account the tensions between States or groups of States that generated an arms race. It stressed that States acquired nuclear weapons for the same reason that they acquired conventional ones, to enhance their security, and that the destructive power of such weapons, however regrettable, formed an integral part of the military forces of some States, a situation

that would continue for the forseeable future. Nuclear weapons, it reiterated, were an essential component of the strategy of deterrence, which in its opinion, contributed to preserving peace between the super-Powers and their allies. It stressed that security is paramount, and that preoccupation with the complete elimination of nuclear weapons should not divert attention from the critical steps that must precede this ultimate goal - effective, verifiable arms control agreements that resulted in broad, deep, and equitable reductions in offensive nuclear arms of the super-Powers and correction of imbalances in conventional armaments, especially in Europe. It drew attention to positive trends in the bilateral negotiations between the super-Powers that might result in deep reductions in the number of their nuclear weapons, but noted the slow pace of negotiations on reductions in conventional forces. This State considered that for obvious reasons deriving from the large size of the nuclear arsenals of the two major Powers, the responsibility to hold as a matter of priority negotiations on the limitation or reduction of their nuclear weapons rested with them. It drew attention, furthermore, to the achievements and potential achievements of these bilateral negotiations: the elimination of an entire class of nuclear weapons by means of the Treaty on Intermediate Nuclear Forces; the agreement establishing Nuclear Risk Reduction Centres, which had a role in reducing conflict of any kind; full-scale, stage-by-stage negotiations on nuclear testing; and intensive negotiations to conclude a treaty that would reduce the strategic arms of both sides by 50 per cent. It also noted its participation in other multilateral forums in Europe regarding reductions of forces and armaments, conventional stability, and confidence-building measures. This State concluded that the establishment of an ad hoc committee on agenda item 2 would not contribute to the process of disarmament.

"70. Another nuclear-weapon State belonging to the Western Group stressed that, in view of the scale of the threat facing it, its security would depend for the forseeable future on nuclear deterrence. Meanwhile, its aim was to maintain continuing security and peace at lower levels of nuclear forces. Efforts in this direction should be combined with complete elimination of chemical weapons and progress towards conventional stability at lower levels of forces taking into account current imbalances. In view of the overwhelming preponderance (95 per cent) of nuclear weapons held by the two major military Powers, the most realistic way to make progress was through bilateral negotiations between these two countries. It believed that this should be achieved step-by-step through mutual, balanced and effectively verifiable agreements. It welcomed progress in this direction, particularly the complete elimination of INF and the prospect of a 50 per cent cut in strategic arms. Given the minimum nature of its deterrent (less than 3 per cent of the nuclear forces available to the two major nuclear-weapon States), it did not see any scope for making a contribution to any reductions in present circumstances, and would maintain the credibility of its deterrent. It welcomed recognition by both sides that this is legitimate. It pointed out, however, that if there were very substantial reductions in the strategic arsenals of the two major nuclear-weapon States and there were no significant changes in defensive capabilities, it would be ready to review its position and consider how best to contribute to arms control in the light of the reduced threat.

"71. Another nuclear-weapon State belonging to the Western Group observed that nuclear deterrence was a reality and not an ideology or a theory and that it could not be replaced by declarations of intent or political initiatives. It referred in that connection to its experience over the past century: the attempts to institute a new security system had failed to prevent a devastating conflict, and it could not be denied that since then nuclear deterrence had played a decisive role in international security arrangements. Nuclear deterrence should, however, go hand in hand with steadily greater arms control. From that point of view, it could not but condemn the absurd logic of the redundancy of the two main Powers' systems, whereby the number of weapons far exceeded the number of potential targets, that was a serious factor of imbalance and tension and it was up to the two participants in the incessant race to remedy the situation. While recognizing the importance of the Treaty of Washington on the elimination of American and Soviet intermediate-range missiles, it stressed that nothing should divert now from the priority objective of a 50 per cent reduction of offensive strategic weapons of the two main nuclear-weapon States. It stressed that the INF Treaty stood alone and should not be expected to lead to the denuclearization of Europe, and that the priority in this region was the establishment of conventional stability. While it saw things as they were, that State did not intend to stand aloof from nuclear disarmament; it had already said that it would be willing to take part in the process as soon as three conditions, which were closely linked to the present or future negotiations, were met: a very substantial reduction in the disparity between the two main Powers' and its own nuclear arsenals, the non-deployment of defensive systems, and a return to a balance of conventional forces together with the elimination of chemical weapons.

"72. One nuclear-weapon State, not belonging to any group, has repeatedly stated that it opposes and will never take part in an arms race. It has consistently called for the complete prohibition and thorough destruction of nuclear weapons. It has reiterated that its limited nuclear forces solely serves defence purposes. It has undertaken, since the first day of its possession of nuclear weapons, not to be the first to use nuclear weapons under any circumstances and unconditionally pledged not to use or threaten to use nuclear weapons against non-nuclear-weapon States or nuclear-weapon-free zones. It has signed Protocols to the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco) and to the South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga). This State has held that the two States possessing the largest and most advanced nuclear arsenals in the world have a special responsibility for curbing the nuclear-arms race and carrying out nuclear disarmament. It is of the view that the INF Treaty signed by them, a first positive step towards nuclear disarmament, should be followed, inter alia, by an agreement on the 50 per cent reduction of their strategic nuclear weapons. It has maintained that to promote nuclear disarmament, great importance should be accorded to the issues of conventional disarmament and curbing the arms race in outer space. The same State has reiterated that the two major nuclear States should take the lead in halting the testing, production and deployment of all types of nuclear weapons and drastically reduce them, so as to create favourable conditions for the

convocation of a broadly representative international conference with the participation of all the nuclear-weapon States to discuss measures for further nuclear disarmament and thorough destruction of nuclear weapons. It is of the view that the nuclear-arms race should stop, both quantitatively and qualitatively. It has also agreed that bilateral and multilateral negotiations should complement each other and consistently reiterated its support for the establishment by the Conference on Disarmament of a subsidiary body under item 2 of its agenda." 13/

44. No substantial progress was made at the 1989 session of the Conference on Disarmament on the question of how to deal with the agenda item "Cessation of the nuclear-arms race and nuclear disarmament". The Group of 21 renewed its proposal on the subject of a draft mandate for an ad hoc committee to deal with the item. 14/ As in the previous year, the Western Group, while stressing the special significance it attached to an in-depth consideration of the nuclear items on the agenda, was unable to join a consensus on that proposal.

45. The Group of Socialist States continued to stress that the cessation of the nuclear-arms race and nuclear disarmament remained an issue of the highest priority, and regretted that the concept of nuclear deterrence continued to provide the basis for the military doctrine of certain States. The Group of Socialist States considered that bilateral efforts were a necessary but not a sufficient condition for a real, sustained, global disarmament process and should not replace multilateral efforts by member States of the Conference on Disarmament and the international community as a whole. In its view, the Conference should enter into a result-oriented dialogue and proceed to negotiations where possible.

46. The Western Group once again stated that the basic goal of Western arms control and disarmament policy was to strengthen security and increase stability at the lowest possible balanced level of forces and armament, and that in their determined efforts to reduce the relative importance of the military component and in trying to replace confrontation with co-operation, the Western countries would exploit the opportunities for arms control as an agent of change. The Western Group considered, however, that the establishment of a subsidiary body for the item was inappropriate at that stage. The members of the Group felt that the most appropriate instrument for dealing with the item was a debate in plenary meetings.

47. The Group of 21 regretted that despite the preliminary work carried out on the subject during previous years, it had still not been found possible to set up an ad hoc committee on the item. The Group also stated that it remained firmly committed to the implementation of paragraph 50 of the Final Document of the 1978 special session on disarmament, and that the establishment of an ad hoc committee provided the best means to achieve that objective. In connection with the forthcoming Fourth Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons, some delegations emphasized the need for strengthening the non-proliferation régime by additional measures such as the conclusion of a comprehensive test-ban treaty, the establishment of nuclear-weapon-free zones, assurances to non-nuclear-weapon States against the use or threat of use of nuclear weapons, the promotion of co-operation in the peaceful uses of nuclear technology and the adoption of measures at the bilateral and regional levels, to promote

mutual confidence among countries of different areas of the world about each other's nuclear programmes.

48. Despite various efforts by a number of States, the Conference on Disarmament has not been able so far to proceed to multilateral negotiations on nuclear disarmament as called for by the Third Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons.

II. GENERAL AND COMPLETE DISARMAMENT UNDER STRICT AND EFFECTIVE INTERNATIONAL CONTROL

49. The final objective of disarmament efforts is general and complete disarmament under effective international control. That goal was explicitly declared in 1959, in General Assembly resolution 1378 (XIV), which proclaimed that measures leading to that goal were to be worked out and agreed upon in the shortest possible time. Since then, United Nations disarmament efforts have been conducted within that conceptual framework. The comprehensive approach was further underlined in 1961, when the Assembly welcomed the joint statement of agreed principles for disarmament negotiations issued earlier that year by the Soviet Union and the United States and known as the Zorin-McCloy agreement. In the years 1960 to 1963, disarmament deliberations and negotiations under the auspices of the United Nations focused on the long-term objectives of general and complete disarmament. By 1963, with the conclusion of the Treaty Banning Nuclear Weapons Tests in the Atmosphere, in Outer Space and under Water, the partial test-ban Treaty, the emphasis again shifted towards reaching agreement on partial measures, some of which were: a comprehensive nuclear-test-ban treaty; the non-proliferation of nuclear weapons; and the prohibition of chemical and biological weapons.

50. By resolution 2602 E (XXIV) of 1969, the General Assembly requested the multilateral negotiating body in Geneva, the Conference of the Committee on Disarmament, to work out a comprehensive programme dealing with all aspects of the problem of the cessation of the arms race and general and complete disarmament under effective international control, while continuing its negotiations on measures of arms limitation. Consequently, the Conference of the Committee on Disarmament debated the question of a comprehensive programme at its session in 1970 and in subsequent years. In that connection, a number of specific proposals were submitted.

51. In 1978, at its tenth special session, the first special session devoted to disarmament, the General Assembly gave added impetus to the elaboration of a comprehensive programme of disarmament. Paragraph 109 of the Final Document (resolution S-10/2) provided as follows:

> "Implementation of these priorities should lead to general and complete disarmament under effective international control, which remains the ultimate goal of all efforts exerted in the field of disarmament. Negotiations on general and complete disarmament should be conducted concurrently with negotiations on partial measures of disarmament. With this purpose in mind, the Committee on Disarmament will undertake the elaboration of a comprehensive

programme of disarmament encompassing all measures thought to be advisable in order to ensure that the goal of general and complete disarmament under effective international control becomes a reality in a world in which international peace and security prevail and in which the new international economic order is strengthened and consolidated. The comprehensive programme should contain appropriate procedures for ensuring that the General Assembly is kept fully informed of the progress of the negotiations including an appraisal of the situation when appropriate and, in particular, a continuing review of the implementation of the programme."

52. In relation to the present status of negotiations on a treaty on general and complete disarmament under strict and effective international control, it should be noted that the agenda of the Conference on Disarmament states in its first paragraph that the then Committee on Disarmament, as the multilateral negotiating forum, shall promote the attainment of general and complete disarmament under effective international control. The agenda also lists 10 areas dealing with the cessation of the arms race and disarmament and other relevant measures. Item X of that list reads as follows: "Comprehensive programme of disarmament leading to general and complete disarmament under effective international control".

53. Although the question of general and complete disarmament under effective international control has not been included in the annual programme of work of the Committee or the Conference on Disarmament, an item entitled "Comprehensive programme of disarmament" has been included since the 1980 session.

54. By resolution 34/38 B of 1979, the General Assembly requested the Committee on Disarmament to initiate, at its following session, in 1980, negotiations on the comprehensive programme of disarmament.

55. From 1980 to 1983 the Committee on Disarmament gave the question of a comprehensive programme of disarmament a prominent place on the annual agenda. In 1980, the Committee established an ad hoc working group to carry on negotiations on the subject. However, in spite of intensive efforts to achieve agreement, it did not prove possible to reconcile the conflicting points of view among Member States, many of which concerned fundamental questions.

56. Since 1984 the task of drafting the text of a Comprehensive Programme of Disarmament has been carried out by the Conference on Disarmament in the relevant Ad Hoc Committee, with the firm intention of completing the elaboration of the programme and submitting it to the General Assembly for its endorsement. The Programme has been developed under six main parts: "I. Introduction"; "II. Objectives"; "III. Principles"; "IV. Priorities"; "V. Measures and stages of implementation"; and "VI. Machinery and procedures".

57. In 1988, prior to the convening of the fifteenth special session of the General Assembly, the third special session devoted to disarmament, considerable progress was made towards harmonizing positions, and in some cases it was possible to reach agreement on the wording of certain paragraphs. However, as reflected in the special report prepared by the Committee for submission to the General Assembly at its special session - a report containing a description of the work of the Ad Hoc Committee since 1982 as well as the text of the Comprehensive Programme as

it then stood - points of difference remained on a number of issues. 15/ Thus, the draft Comprehensive Programme could not be completed before the convening of the third special session, nor, it must be added, for the subsequent forty-third regular session. Work on the Programme continued in 1989, with a large part of the substantive work being conducted in contact groups and other informal meetings. Plenary meetings of the Ad Hoc Committee were devoted mainly to the consideration of reports by the various groups. Progress was achieved on some aspects of the draft, but no agreement on a final text had been reached by the end of the 1989 session.

Notes

1/ See CD/36/Rev.1, by the Group of 21.

2/ Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 27 (A/35/27), paras. 37-44.

3/ CD/180.

4/ Official Records of the General Assembly, Twelfth Special Session, Supplement No. 2 (A/S-12/2), paras. 41-60.

5/ Ibid., paras. 58 and 59.

6/ CD/523.

7/ CD/526.

8/ CD/571. The same statement was presented by the Soviet Union at the same time as document CD/570.

9/ CD/649.

10/ Official Records of the General Assembly, Forty-second Session, Supplement No. 27 (A/42/27), paras. 48-68.

11/ Ibid., para. 49.

12/ CD/819.

13/ Official Records of the General Assembly, Fifteenth Special Session, Supplement No. 2 (A/S-15/2).

14/ CD/819/Rev.1.

15/ Official Records of the General Assembly, Fifteenth Special Session, Supplement No. 2 (A/S-15/2), para. 98.

Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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PRESENT STATUS OF NEGOTIATIONS OF THE CONFERENCE ON DISARMAMENT ON "EFFECTIVE INTERNATIONAL ARRANGEMENTS TO ASSURE NON-NUCLEAR-WEAPONS STATES AGAINST THE USE OR THREAT OF USE OF NUCLEAR WEAPONS"

Background paper by the Secretariat

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INTRODUCTION

1. The Preparatory Committee for the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, at its first session (1-5 May 1989), invited the Secretary-General of the United Nations to prepare for the Committee's second session a background paper on the present status of negotiations of the Conference on "effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons". At the request of the Committee, at its second session (11-15 September 1989), the background paper was revised and updated for the Committee's third session (23 April-2 May 1990). At that session, the Committee requested that, in light of the comments made during its discussions, the background paper be updated and revised as necessary where appropriate for submission to the Conference. This paper is submitted in response to that request and covers developments up to 15 June 1990.

2. This report by the Secretariat outlines, as requested, the present status of the negotiations in the Conference on Disarmament and focuses, in particular, on developments since the Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, held in 1985. The paper is based mainly on the official records of the single multilateral negotiating body, the Conference on Disarmament and its predecessor.

I. BACKGROUND

3. Ever since the beginning of the nuclear age, non-nuclear-weapon States, particularly those that do not belong to one of the major military alliances, have emphasized the need for effective measures to ensure their security against the use or threat of use of nuclear weapons. The question of strengthening the security of the non-nuclear-weapon States which have undertaken to renounce their possession of nuclear weapons, was one of the central issues in the course of the negotiations on the Treaty on the Non-Proliferation of Nuclear Weapons. 1/ After prolonged consideration of various options, the three nuclear-weapon States Parties - the Soviet Union, the United Kingdom and the United States - agreed to provide such assurances through a Security Council resolution.

4. On 19 June 1968, the Security Council adopted by 10 votes in favour to none against, with 5 abstentions (Algeria, Brazil, France, India and Pakistan) resolution 255 (1968), sponsored by those three nuclear-weapon States Parties. In this resolution, the Security Council recognized that aggression with nuclear weapons, or the threat thereof, against a non-nuclear-weapon State Party to the non-proliferation Treaty would create a situation that would call for immediate action by the Council and, above all, by its nuclear-weapon States Permanent Members. The Council also welcomed the intention expressed by certain States that they would assist any non-nuclear-weapon State Party to the Treaty that was a victim of an act or threat of nuclear aggression and reaffirmed the right to collective self-defence under Article 51 of the Charter.

5. At the Conference of Non-nuclear-weapon States, held at Geneva in 1968, a Declaration was adopted which expressed, inter alia, the view of a number of non-nuclear-weapon States, that, while welcoming the "positive" assurance

provided for in the Security Council resolution, expressed preference for a "negative" assurance, a commitment by nuclear-weapon States that they would not use or threaten to use nuclear weapons against them. 2/ Although this issue has since figured almost uninterruptedly in the agenda of various disarmament forums, no agreed solution has so far been found.

6. At the First Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons in 1975, the non-nuclear-weapon States recalled again their need for effective measures to ensure their security against the use or threat of use of nuclear weapons. They asked for a binding, unconditional international commitment by the nuclear weapon States to strengthen their security, as an interim measure to nuclear disarmament, which was considered the sine qua non guarantee against nuclear weapons.

7. In the 1978 Final Document of the first special session devoted to disarmament, the General Assembly noted the individual declarations on the question made or reaffirmed by the nuclear-weapon States at its sessions and urged those Powers to conclude effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. 3/ An updated version of the declarations can be found in the Annex to the present paper (see also NPT/CONF.IV/5).

8. Also with the creation of nuclear-weapon-free zones, the non-nuclear-weapon States have searched for negative security assurances. The two Treaties so far concluded to constitute a nuclear-weapon-free zone and a nuclear-free zone, respectively have envisaged negative security assurances, through Additional Protocol II of the Treaty of Tlatelolco (1967) and Protocol 2 of the Treaty of Rarotonga (1985). 4/

9. The question was also actively considered by the then Committee on Disarmament (CD). Each year, between 1980 and 1984, an ad hoc subsidiary body was established on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

10. The substantive discussion, which began in the CD in 1980, focused first on the scope and nature of such arrangements. While there was general agreement that the objective should be adequate assurances to non-nuclear-weapon States, there have been divergent views as to scope and about various criteria suggested for the application of mutually acceptable arrangements. Although there has been no objection in principle to the idea of an international convention, the difficulties involved have been clearly pointed out, particularly by Western States, which had accordingly suggested that a Security Council resolution might serve as a useful and effective international arrangement, while others, particularly the socialist members, considered that idea only as an interim measure.

11. In its reports to the General Assembly, the Committee and later the Conference on Disarmament had consistently reaffirmed that non-nuclear-weapon States should be effectively assured by the nuclear-weapon States against the use or threat of use of nuclear weapons, pending effective measures of nuclear disarmament. It had, however, also noted that differences relating to differing perceptions of security interests of some nuclear-weapon States and non-nuclear-weapon States persisted and that in those circumstances, no

progress had yet been achieved. The General Assembly, for its part, had repeatedly requested the Conference to continue to explore ways and means of overcoming the difficulties encountered in the negotiations in order to reach agreement on such effective international arrangements.

II. STATUS OF NEGOTIATIONS IN 1985

12. The decision to re-establish the Ad Hoc Committee in 1985 was taken only on 1 August, following extended consultations primarily concerning the need for such a body if the positions of the nuclear-weapon States remained unchanged. Those positions were embodied in declarations which all the nuclear-weapon States had given in 1978, some of which had been reiterated and elaborated upon on various occasions subsequently (see Annex I). Accordingly, the Ad Hoc Committee's work was mainly devoted to the preparation of its report 5/ to the Conference.

13. Because of the limited time available to the Ad Hoc Committee, the Chairman held consultations regarding the most efficacious way to deal with the question. He confirmed, as stated in the Committee's report, that the positions espoused by the nuclear-weapon States in previous years had not changed. Most delegations expressed their readiness, however, to engage in substantive dialogue on what they saw as an important agenda item. They held that while complete nuclear disarmament would be the most effective guarantee, it was imperative until that was achieved to develop effective measures to assure the security of non-nuclear-weapon States against the nuclear threat. They reaffirmed the need for a common approach, acceptable to all, which could be incorporated into a legally binding international instrument. Some felt that in the absence of a nuclear disarmament process, no useful purpose could be served through substantive consideration of the item. In that context some recalled earlier documents 6/ to the effect that there was no prospect of reaching agreement until the nuclear-weapon States were ready to change their positions. Other participants felt there might have been progress had the Ad Hoc Committee been established earlier.

14. In the "Conclusions and recommendations" part of its report, the Ad Hoc Committee recommended that the Conference continue to explore ways and means to overcome the difficulties encountered in dealing with the question. It also agreed that the Conference should keep the item under active consideration, taking into account the mandate of the Committee and relevant recommendations of the General Assembly.

15. The work of the Conference in 1985 revealed again that the positions of the States on the main elements of the problem - the scope, substance, nature and form of such assurances - had not changed. Nor had it been possible to bridge the divergent views on how the idea of concluding an international convention on the matter could be realized in practice. There was also disagreement on the evaluation and practical significance of the unilateral declarations that had been made by the nuclear-weapon States. This situation led to expressions of disappointment and a certain lessening of interest among some participants in the search for solutions to the issue.

III. STATUS OF NEGOTIATIONS IN 1986

16. During the first part of the session of the Conference, the President held consultations on the question of the re-establishment of an ad hoc committee on the item. Some delegations expressed the view that there was no point in resuming discussion on the question, unless the positions of the nuclear-weapon States had changed or developed since the previous year. Consultations with those States convinced the President that their positions had not changed. In July, it was agreed that because the session was by that time well advanced, the question of re-establishing an ad hoc committee and the appointment of its Chairman would be taken up at the beginning of the 1987 session.

17. Several delegations addressed various issues relating to the item at plenary meetings 7/ of the Conference. Nigeria considered the nuclear-weapon States' arguments for making their security assurances to be unnecessarily obstructive in nature. It pointed out that there were three categories of non-nuclear-weapon States, namely: (a) non-members of military alliances with no nuclear weapons on their territories; (b) members of military alliances with no nuclear weapons on their territories; and (c) members of military alliances that did have other States' nuclear weapons on their territories. In Nigeria's view, there were feasible treaty formulations for each category, which would be realistic, discourage the geographical spread of nuclear weapons and satisfy the security considerations of all parties. However, finding a consensus formulation required negotiations, and it was not helpful for delegations to prejudge their outcome. Nigeria further held, in referring to the commitments made under the terms of the nuclear non-proliferation Treaty, that if nuclear-weapon States did not totally exclude the use or threat of use of nuclear weapons against States that did not have them, the very basis of the Treaty would become morally indefensible. Pakistan believed that negative security guarantees, perhaps in conjunction with other arrangements such as nuclear-weapon-free zones, could be the appropriate means to protect a region against an external nuclear threat.

18. In general, members of the Group of 21 stressed again their belief that the most effective guarantee against the use or threat of use of nuclear weapons would be nuclear disarmament and the prohibition of nuclear weapons. In their view, until nuclear weapons were eliminated, nuclear-weapon States had an obligation to guarantee in an internationally binding instrument that non-nuclear-weapon States would not be attacked or threatened with nuclear weapons, and they were disappointed at the lack of progress on the question. Some non-aligned States noted that security assurances to non-nuclear-weapon States were the least nuclear-weapon States could expect to give in exchange for the commitment by other States under the non-proliferation Treaty. Some other non-aligned countries stressed that security assurances to non-nuclear-weapon States should be without qualification and pre-conditions, not subject to divergent interpretations and unlimited in scope, application and duration.

19. Bulgaria, speaking on behalf of the group of socialist States, underlined their interest in helping advance the consideration of the subject. Developments in the nuclear field had shown the vulnerability of non-nuclear-weapon States to the use or threat of use of nuclear weapons

against them. The socialist countries believed that the Conference should persist in seeking a meaningful solution to the problem of security assurances, one which would be acceptable to all and could be included in an international instrument of a legally binding character. They welcome the solemn declarations made by the Soviet Union and China concerning the non-first use of nuclear-weapons, and they were convinced that if all nuclear-weapon States were to assume obligations not to be the first to use nuclear weapons, that would constitute a ban on their use against all States, including all non-nuclear-weapon States.

20. The socialist countries shared the belief that the most effective guarantee would be nuclear disarmament and the complete elimination of nuclear weapons. Romania held that until that objective was achieved on a universal basis, it was imperative for the international community to develop effective measures to ensure the security of non-nuclear-weapon States.

21. China also expressed the view that the most effective security guarantee to non-nuclear-weapon States would be the complete prohibition and thorough destruction of nuclear weapons. It held that pending nuclear disarmament, all nuclear-weapon States should undertake not to use or threaten to use nuclear weapons against non-nuclear-weapon States and nuclear-free zones and stated that it unconditionally assumed such an obligation. It also supported all efforts conducive to breaking the impasse on the item.

22. Western States drew attention to the unilateral declarations made by France, the United Kingdom and the United States, which they regarded as credible and reliable and which, in their view, amounted to firm declarations of policy. They expressed readiness to continue discussion of the item in an ad hoc committee, but acknowledged that previous experience had shown the difficulties involved in elaborating an international convention on the subject.

23. In 1986, consideration of effective security guarantees to non-nuclear-weapon States did not bring negotiations any closer to an agreement. Unlike the previous year, the work on the issue in the Conference on Disarmament was limited to general discussion in plenary meetings, as no subsidiary body was established for negotiations on the item. The views and positions of States on the scope, substance, form and nature of the envisaged guarantees were similar to those expressed in former years.

IV. STATUS OF NEGOTIATIONS IN 1987

24. On 10 February, the Conference decided to re-establish its ad hoc committee on the item to continue to negotiate with a view to reaching agreement. The Conference had before it a Nigerian proposal 8/ that attempted to break the impasse in achieving an internationally binding agreement to prohibit the use or threat of use of nuclear weapons against most non-nuclear-weapon States. The proposal is discussed below.

25. Comments made at plenary meetings of the Conference 9/ tended to reiterate views already expressed. In general, members of the Group of 21 stressed again that the most effective guarantee against the use or threat of use of nuclear weapons was nuclear disarmament and the prohibition of nuclear

weapons. More specifically, Kenya, Pakistan and Yugoslavia emphasized the moral imperative for nuclear-weapon States to categorically assure non-nuclear-weapon States against the threat of nuclear weapons, while Egypt underscored the legitimacy of the non-nuclear-weapon States' demand for assurances. Pakistan felt that security assurances, provided in an international instrument of a legally-binding character, would strengthen the commitment of non-nuclear-weapon States to the non-proliferation régime by acting as a disincentive to acquire nuclear weapons. In its view, assurances must be unconditional and unlimited in scope, application and duration. It felt that the unilateral declarations that had been made so far by the nuclear-weapon States, with one exception, presented insurmountable obstacles to the elaboration of a common formula for assurances. In an effort at compromise, Pakistan restated its proposal that assurances be extended to all non-nuclear-weapon States outside the major alliance systems. Argentina strongly rejected attempts to place various conditions on the granting of negative security assurances, and it underscored its conviction that the mere possession of nuclear weapons created a climate of intimidation that definitely affected non-nuclear-weapon States.

26. Sweden emphasized once again that the most fundamental element of an effective negative assurance was a legally binding undertaking by the nuclear-weapon States not to use or threaten to use nuclear weapons against non-nuclear-weapon States. It believed though, that non-nuclear-weapon States should not have to make any further commitments beyond that of staying nuclear-weapon-free, a commitment that should be formalized by adherence to the non-proliferation Treaty, by participation in an established nuclear-weapon-free zone, or in other agreed ways which would give it international legal effect.

27. Bulgaria, on behalf of the socialist States, stressed a global approach, which encompassed the elaboration of an international legal instrument to exclude the use of nuclear weapons; the pledging of non-first use of nuclear weapons by all nuclear-weapon States and the setting up of regional arrangements such as nuclear-weapon-free zones. The socialist members continued to support the conclusion of an international instrument to assure non-nuclear-weapon States having no nuclear weapons on their territories against the use or threat of use of such weapons. The socialist States were convinced of the need for a fresh approach to the question and were of the view that recent developments in international politics provided a reliable basis on which to seek that new approach. Hungary suggested that the Ad Hoc Committee survey the latest developments relevant to its work and take advantage of the new situation.

28. The Federal Republic of Germany, the United Kingdom and the United States felt that the Ad Hoc Committee could do useful work under its current mandate. The Federal Republic of Germany was of the view that the concrete measures proposed in the bilateral negotiations in Geneva would have an impact on the urgency, nature and scope of negative security assurances. It went on to say that agreement on a negotiated common formula for an unconditional security assurance to be given by all five nuclear States to non-nuclear-weapon States stood little chance of being translated into practice without prior agreement on stabilizing ceilings for weapons and

forces. It therefore suggested that discussion on the item be closely linked with discussion on the items on cessation of the nuclear-arms race and prevention of nuclear war.

29. The Ad Hoc Committee, under the chairmanship of Ambassador Paul von Stülpnagel of the Federal Republic of Germany, considered topics chosen by the Chairman to guide the discussion. Those topics included the consideration of new proposals in the light of recent developments in arms control and international relations as well as possibilities for interim measures and alternatives for action. Some of the relevant developments mentioned were: the agreement reached at the Geneva summit meeting of November 1985, the meeting between the leaders of the two major Powers in Reykjavik in 1986 and the ongoing Soviet-American bilateral negotiations on nuclear and space arms. In the course of the discussion, a Warsaw Treaty document on military doctrine, adopted in Berlin in May 1987, 10/ and the political undertakings to refrain from the use of force that were included in the 1986 Document of the Conference on Confidence- and Security-building Measures and Disarmament in Europe 11/ were mentioned as being of direct relevance to the work of the Committee. Some members of the Group of 21 differed, however, in their assessment of the recent developments in the field, stating that while they were welcome in themselves, they had little or no relevance to the question of assurances to non-nuclear-weapon States and that they had no positive impact on the unilateral declarations of the concerned nuclear-weapon States.

30. In its paper, Nigeria proposed categorizing the non-nuclear-weapon States according to the diverse military situations they were in and put forward suggestions for the main elements that could be used to form a generally acceptable agreement. Though several delegations considered that the proposal reflected the need for all States to show more flexibility in the light of legitimate security concerns of other States, the primary responsibility of the nuclear-weapon States concerning the issue was strongly stressed during the meetings. Moreover, it was generally agreed that the proposal contained elements that required further study by the Committee.

31. The delegation of the Netherlands brought up a proposal that it had made in 1981 concerning the form in which the elements of a common formula or common approach could be embodied, that is, an integrated Security Council resolution containing the disparate views of the nuclear-weapon States. It also proposed, for immediate consideration, that the Conference adopt a paragraph in its 1987 report recommending a repetition of the nuclear-weapon States' unilateral assurances in a Security Council resolution. That suggestion was not taken up by the Committee.

32. On the whole, the Committee reiterated conclusions and recommendations already reached in previous years, emphasizing that the difficulties relating to differing perceptions of security interests on the part of nuclear-weapon States, on the one hand, and non-nuclear-weapon States, on the other, persisted and that the complex nature of the issues involved continued to prevent agreement on a common formula. The Ad Hoc Committee recommended that ways and means continue to be explored to overcome the difficulties encountered in carrying out negotiations on the question and stated that it

was generally agreed that the Committee should be re-established at the 1988 session of the Conference. Delegates underlined the importance of making progress on the issue in the light of the forthcoming third special session of the General Assembly devoted to disarmament.

33. Towards the end of the session, Pakistan stated that the Committee's work had remained unproductive. Pakistan hastened to add, however, that it would not slacken in its search for a satisfactory solution, pointing out that, without negative security assurances, the non-proliferation régime could only be weakened. Poland regretted that its hopes for a fresh, more flexible and more imaginative approach to the problem had not been fulfilled. The United States, for its part, stressed that the Nigerian proposal had served a useful purpose in refocusing attention on the many difficulties involved in elaborating a common formula for assurances to non-nuclear-weapon States.

V. STATUS OF NEGOTIATIONS IN 1988

34. During the general debate at the plenary meetings of the Conference, China announced that, in keeping with its policy of unconditional negative security assurances to non-nuclear-weapon States and nuclear-weapon-free zones, China had signed the relevant Protocol of the South Pacific Nuclear Zone. France restated its position that the search for a common formula should be fully compatible with its unilateral declaration (see Annex). Pakistan, for its part, considered that the unilateral declarations made by four of the five nuclear-weapon States were hardly calculated to enhance the security of States which had renounced their nuclear option and that the insistence on their partial assurances, regrettably, could only weaken the non-proliferation régime. Bulgaria said that the time had come for positive movements on the negotiations of negative security assurances and that this positive move should have a significant impact on strengthening the non-proliferation régime.

35. The Conference re-established on 2 February, its Ad Hoc Committee on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons with a mandate to negotiate with a view to reaching agreement on such arrangements. The Conference appointed Ambassador Dimitar Kostov of Bulgaria as Chairman of the Ad Hoc Committee. The Ad Hoc Committee submitted two reports to the Conference: the first set out the current state of negotiations on the subject, taking into account the negotiations conducted since August 1982, and was incorporated into the special report of the Conference to the General Assembly at its fifteenth special session; 12/ and the second focused on the negotiations and discussions held during the summer part of the session of the Conference. 13/

36. During its consideration of the item, the Ad Hoc Committee had before it the documents of the previous sessions as well as a discussion paper prepared by the Chairman, Mr. Kostov (CD/SA/WP.12/Rev.1), containing elements of a "common formula" of negative security assurances.

37. During its session, the Ad Hoc Committee continued to examine and negotiate on proposals for a common formula of assurances to be included in an international legally binding instrument and for interim arrangements.

Three approaches were discussed with regard to a possible legal instrument: (a) a single common formula; (b) a common formula for each category of non-nuclear-weapon States, established according to certain criteria, such as participation in a military alliance or adherence to the non-proliferation Treaty or other international legal instrument (see the criteria contained in the unilateral declarations of the nuclear-weapon States reproduced in the Annex to this document); and (c) other possible options.

38. Early in the session, Nigeria orally proposed that nuclear-weapon States set aside their various unilateral declarations to facilitate effective negotiations and the adoption of a convention on the basis of a common formula and that any nuclear-weapon State, while ratifying such a convention, preserve the right to make reservations reflecting its unilateral declarations.

39. Some Western delegations, including the Western nuclear-weapon States, saw this as an interesting possible first step that needed further development. Some socialist delegations pointed out that nuclear-weapon States might use the opportunity of ratification of such an international instrument to improve the substance of their unilateral declarations of non-use. Bulgaria and New Zealand pointed to the need for some form of verification procedures to be included in any international instrument of this kind. Some delegations of the Group of 21, in particular Argentina and Pakistan, maintained that a single common formula to which any nuclear-weapon State would have the right to make reservations would not be credible and would not meet the legitimate security concerns of the non-nuclear-weapon States.

40. The Ad Hoc Committee also focused its attention on proposals for establishing categories of non-nuclear-weapon States. 14/ Some socialist delegations felt that such an approach would help the Committee overcome its difficulties in reaching agreement on a single common formula. They pointed out that the approach had the merit of allowing the common formulas of the respective categories of non-nuclear-weapon States to be unconditional and of providing assurance in accordance with the principle of reciprocity of status of obligations of non-nuclear and nuclear-weapon States. The approach could be applied on a stage-by-stage basis, beginning with the largest and easiest category of non-nuclear-weapon States, those non-parties to a military alliance with a nuclear-weapon State. Some delegations of the Group of 21, however, especially Argentina and Pakistan, cautioned that the approach would undermine the perceived consensus that only a single common formula offered a practical and acceptable solution to the problem. Moreover, they believed that such an approach would not be acceptable because it implied that non-nuclear-weapon States should fulfil certain conditions before they could become eligible for assurances against the use or threat of use of nuclear weapons.

41. Some Western delegations, including the Western nuclear-weapon States, stressed that extending assurances to categories of non-nuclear-weapon States would have the effect of limiting the scope of the existing unilateral declarations made by the nuclear-weapon States.

42. Though the Ad Hoc Committee held a structured and goal-oriented debate during the session of the Conference, in which new ideas were explored and a clearer understanding of the many issues involved was achieved, the deliberations on the various approaches proved inconclusive. Members of the

Conference, however, reiterated their readiness to continue the search for a common formula for guarantees, in particular one that could be included in an international instrument of legally binding nature. In its report to the Conference, the Committee recommended that it should be re-established at the beginning of the 1989 session in order to continue its work.

VI. STATUS OF NEGOTIATIONS IN 1989

43. At its first meeting, 7 February, the Conference on Disarmament decided to re-establish for the duration of the 1989 session an ad hoc committee to continue negotiations with a view to reaching agreement on effective international agreements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. The Conference appointed Ambassador Ali Shams Ardekani of the Islamic Republic of Iran as Chairman of the Ad Hoc Committee. During its sessions, the Ad Hoc Committee reaffirmed that non-nuclear-weapon States should be effectively assured by the nuclear-weapon States against the use or threat of use of nuclear weapons pending effective measures of nuclear disarmament. Work on the substance of the effective arrangements and discussion on various aspects and elements of a solution, however, revealed that specific difficulties relating to differing perceptions of security interests of nuclear-weapon States and non-nuclear-weapon States persisted and that the complex nature of the issues involved continued to prevent agreement on a "common formula". At the same time, the discussion underlined that all delegations supported and expressed their readiness to continue the search for a common approach on the substance of negative security assurances and, in particular, on such a "common formula".

44. Against the aforementioned background the Ad Hoc Committee recommended to the Conference on Disarmament that ways and means should continue to be explored to overcome the difficulties encountered in its work in carrying out negotiations on the question of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. Accordingly, it was agreed that the Ad Hoc Committee should be re-established at the beginning of the 1990 session.

VII. DEVELOPMENTS IN 1990

45. On 6 February 1990, the Conference on Disarmament again re-established, for the duration of the session, an ad hoc committee to continue negotiations on the matter. Ambassador Negrotto Cambiaso of Italy was appointed by the Conference as Chairman of the Ad Hoc Committee.

VIII. RELATED DEVELOPMENTS IN 1989-1990 BEYOND THE SCOPE OF CD

46. On 2 November 1989, Nigeria formally submitted the text of its proposed agreement to the Governments of the three depositary powers of the Treaty on the Non-Proliferation of Nuclear Weapons. The text was accompanied by a request by Nigeria to the Depositary Governments to circulate copies of the proposed agreement to all States Parties to the non-proliferation Treaty and to make the necessary arrangements to convene a conference of States Parties to the Treaty for the consideration of the proposed agreement, preferably during the Fourth Review Conference of Parties to the Treaty scheduled to take

place in Geneva in August/September 1990. On 20 February 1990 the Depositary Governments circulated the proposed agreement to all States Parties to the Treaty.

47. Pursuant to the initiative described in paragraph 46, on 1 March, Nigeria formally informed the Conference on Disarmament of its proposal for an agreement on the prohibition of the use or threat of use of nuclear weapons against non-nuclear-weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. The text of that proposal, circulated within the Conference on Disarmament as document CD/967, is attached at Annex II to this paper. According to Nigeria the proposal was complementary in nature to the NPT and did not in any way represent an amendment to the Treaty. It was underlined that the proposal was without prejudice to the work of the Conference on Disarmament on Negative Security Assurances. Nigeria had expressed the hope that all parties to the NPT represented in the Conference on Disarmament would lend their valuable support to this initiative when it came up for consideration both at the third session of the Preparatory Committee for the Fourth Review Conference of the Parties to the NPT and at the Review Conference itself.

Notes

1/ General Assembly resolution 2373 (XXII), annex. The text of the Treaty is reproduced in Status of Multilateral Arms Regulation and Disarmament Agreements, 3rd edition: 1987 (United Nations publication, Sales No. E.88.IX.5).

2/ Under a "positive" assurance, nuclear-weapon States would commit themselves, in specific circumstances, to come to the defence of non-nuclear-weapon States, as envisaged, for example, in Security Council resolution 255 (1968). Under a "negative" assurance, nuclear Powers would commit themselves not to use or threaten to use nuclear weapons against non-nuclear-weapon States.

3/ General Assembly resolution S-10/2, sect. III, para. 59.

4/ For the Status of the signature and ratification of these protocols, see Report of the Secretary-General (A/44/619).

5/ Official Records of the General Assembly, Fortieth Session, Supplement No. 27 (A/40/27 and Corr.1), paras. 10 and 12, and appendix III (CD/642), vols. I-V.

6/ Ibid., Thirty-seventh Session, Supplement No. 27 (A/37/27 and Corr.1), appendix II (CD/335), document CD/280, and ibid., Thirty-eighth Session, Supplement No. 27 (A/38/27 and Corr.1), appendix II (CD/421), document CD/407.

7/ CD/732, appendix II, vols. I-IV.

8/ CD/787, appendix I, vol. III, document CD/768.

9/ Ibid., appendix II, vols. I-IV.

10/ Ibid., appendix I, vol. II, document CD/755.

11/ Relevant excerpts from the Document were reproduced in the United Nations publication Disarmament, vol. IX, No. 3 (Sales No. E.86.IX.10).

12/ Official Records of the General Assembly, Fifteenth Special Session, Supplement No. 2 (A/S-15/2), sect. III, paras. 90 and 91.

13/ Ibid., Forty-third Session, A/43/27, sect. III, paras. 81-83.

14/ For further details, see the proposal by Nigeria (CD/768) of 1987 and the 1983 report of the Committee on Disarmament to the General Assembly, issued in Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 27 (A/38/27), para. 7G.

ANNEX I

Unilateral security assurances by nuclear-weapon States

CHINA

In the annex to a letter of 7 June 1978 from the Permanent Representative of China to the Secretary-General, China stated:

> For the present, all the nuclear countries, particularly the super-Powers, which possess nuclear weapons in large quantities, should immediately undertake not to resort to the threat or use of nuclear weapons against the non-nuclear countries and nuclear-free zones. China is not only ready to undertake this commitment but wishes to reiterate that at no time and in no circumstances will it be the first to use nuclear weapons. a/

In a communication of 28 April 1982 to the Secretary-General, the Chinese Government declared:

> Pending the realization of complete prohibition and thorough destruction of nuclear weapons, all nuclear countries must undertake unconditionally not to use or threaten to use such weapons against non-nuclear countries and nuclear-free zones.
>
> As is known to all, the Chinese Government has long declared on its own initiative and unilaterally that at no time and under no circumstances will China be the first to use nuclear weapons, and that it undertakes unconditionally not to use or threaten to use nuclear weapons against non-nuclear countries and nuclear-free zones. b/

FRANCE

On 30 June 1978, the representative of France stated:

> Furthermore, as regards paragraph 59 [of the Final Document of the Tenth Special Session] concerning assurances of the non-use of nuclear weapons against non-nuclear States, the delegation of France would recall that France is prepared to give such assurances, in accordance with arrangements to be negotiated, to States which constitute non-nuclear zones. c/

On 11 June 1982, the Minister for Foreign Affairs of France declared:

> For its part, it [France] states that it will not use nuclear arms against a State that does not have them and that has pledged not to seek them, except if an act of aggression is carried out in association or alliance with a nuclear-weapon State against France or against a State with which France has a security commitment. d/

SOVIET UNION

On 26 May 1978, the Minister for Foreign Affairs of the Soviet Union stated:

From the rostrum of the special session our country declares that the Soviet Union will never use nuclear weapons against those States which renounce the production and acquisition of such weapons and do not have them on their territories.

We are aware of the responsibility which would thus fall on us as a result of such a commitment. But we are convinced that such a step to meet the wishes of non-nuclear States to have stronger security guarantees is in the interests of peace in the broadest sense of the word. We expect that the goodwill evinced by our country in this manner will lead to more active participation by a large number of States in strengthening the non-proliferation régime. e/

On 12 June 1982, the Minister for Foreign Affairs of the Soviet Union read a message from the President of the Presidium of the Supreme Soviet of the USSR, according to which the Soviet Union assumed "an obligation not to be the first to use nuclear weapons. This obligation shall become effective immediately, at the moment it is made public from the rostrum of the United Nations General Assembly". The Soviet Union added that the question of the granting of security guarantees to the non-nuclear countries parties to the non-proliferation Treaty by the nuclear Powers "could be solved by concluding an international convention. The USSR is also prepared to conclude bilateral agreements on guarantees with States which do not possess nuclear weapons and do not have them on their territory. f/

UNITED KINGDOM

On 28 June 1978, the representative of the United Kingdom declared:

I accordingly give the following assurance, on behalf of my Government, to non-nuclear-weapon States which are parties to the Treaty on the Non-Proliferation of Nuclear Weapons and to other internationally binding commitments not to manufacture or acquire nuclear explosive devices: Britain undertakes not to use nuclear weapons against such States except in the case of an attack on the United Kingdom, its dependent territories, its armed forces or its allies by such a State in association or alliance with a nuclear-weapon State. g/

UNITED STATES

In the annex to a letter of 17 November 1978 from the representative of the United States to the Secretary of the First Committee, the United States cited a Presidential Declaration which read as follows:

The United States will not use nuclear weapons against any non-nuclear-weapon State Party to the NPT (non-proliferation Treaty) or any comparable internationally binding commitment not to acquire nuclear explosive devices, except in the case of an attack on the United States, its territories or armed forces, or its allies, by such a State allied to a nuclear-weapon State or associated with a nuclear-weapon State in carrying out or sustaining the attack. h/

Notes

a/ A/S-10/AC.1/17, annex, para. 7.

b/ A/S-12/11.

c/ Official Records of the General Assembly, Tenth Special Session, Plenary Meetings, 27th meeting, para. 190.

d/ Ibid., Twelfth Special Session, Plenary Meetings, 9th meeting.

e/ Ibid., Tenth Special Session, Plenary Meetings, 5th meeting, paras. 84 and 85.

f/ Ibid., Twelfth Special Session, Plenary Meetings, 12th meeting.

g/ Ibid., Tenth Special Session, Plenary Meetings, 26th meeting, para. 12.

h/ Ibid., A/C.1/33/7, annex. The Presidential Declaration was also cited by the representative of the United States on 23 June 1978 in Official Records of the General Assembly, Tenth Special Session, Ad Hoc Committee of the Tenth Special Session, 13th meeting, again by President Reagan in 1982 at the time of SSOD-II, more recently in February 1990 at the IAEA Board of Governors by United States Ambassador Richard T. Kennedy and on 13 March 1990 in the Conference on Disarmament by United States CD Ambassador Stephen J. Ledogar.

ANNEX II

Proposed agreement on the prohibition of the use or threat of use of nuclear weapons against non-nuclear-weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

(proposal by Nigeria)

The States Parties to this Agreement,

Being also parties to the Treaty on the Non-Proliferation of Nuclear Weapons opened for signature at London, Moscow and Washington on 1 July 1968 (hereinafter called "the Treaty"), have hereby accepted the following provisions:

Article I

Each nuclear-weapon State Party to this Agreement undertakes not to use or threaten to use nuclear weapons against any non-nuclear-weapon State Party to the Treaty which does not belong to a military alliance and does not have other security arrangements providing for mutual defence with a nuclear-weapon State.

Article II

Each nuclear-weapon State Party to this Agreement undertakes not to use or threaten to use nuclear weapons against any non-nuclear-weapon State Party to the Treaty which belongs to a military alliance, or have other security arrangements providing for mutual defence, with a nuclear-weapon State but has no nuclear weapons stationed on its territory. The non-nuclear-weapon State Party to the Treaty referred to in this Article undertakes not to partake in, or contribute to, any military attack on any nuclear-weapon State Party to this Agreement, or its allies, Parties to the Treaty, except in self-defence, in accordance with the Charter of the United Nations.

Article III

1. This Agreement shall be signed and shall be subject to ratification, or may be acceded to, as if the provisions of Article IX of the Treaty applied hereto.

2. This Agreement shall enter into force in respect of each State on the date of deposit of the instrument of ratification or accession of the State concerned.

3. The duration of this Agreement shall be the same as that of the Treaty and the provision regarding denunciation contained in Article X, paragraph 1, of the Treaty shall be applicable to it.

Article IV

This Agreement, the English, Russian, French and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Agreement shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

In witness WHEREOF the undersigned plenipotentiaries, having deposited their full powers, found to be in good and due form, hereby sign this Agreement on behalf of their respective Governments.

Done in triplicate, at the cities of London, Moscow and Washington, the ..... day of ..... one thousand nine hundred and .....